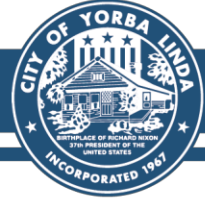


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# CITY COUNCIL POLICIES

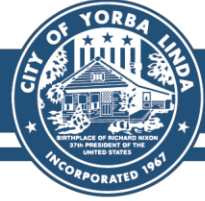




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## Summary of Policies

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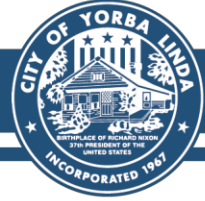
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## Summary of Policies

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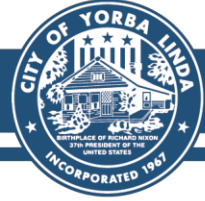
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## Summary of Policies

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## POLICY: CITY COUNCIL POLICIES

**Number:** C-1  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** February 18, 1992

### **I. PURPOSE**

To establish a system of City Council policies which provide broad, general guidelines to the City Manager for the administration, operation and general health, safety and welfare of the City pursuant to the Yorba Linda Municipal Code.

### **II. BACKGROUND**

Pursuant In order to effectively carry out the day-to-day operations of the City, the City Manager and staff depend on an extensive body of laws, regulations, ordinances, codes and policies for direction. Many of the policies promulgated by the City Council, such as those dealing with land use and zoning issues, have been codified by ordinance or resolution into the Municipal Code, General Plan, etc.

Many times, however, the City Council may establish a policy which in actuality is simply an expression of its desire to see certain outcomes achieved relative to particular situations or circumstances. In these policies, which are frequently adopted by minute order of the Council, no specific legal language is developed and codified which prescribes specific actions and/or measures. From these broad policies, the City Manager and staff develop administrative procedures designed to achieve the Council's goals and objectives.

These policies provide staff with general direction and are not intended to limit the City Manager's flexibility to adapt administrative procedures for different circumstance as needed.

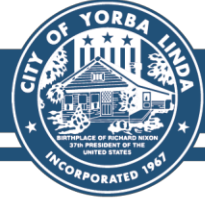
### **III. POLICY**

The City of Yorba Linda shall maintain documentation of City Council policies which are not officially codified into the various legal documents maintained by the City. The purpose of these policies is to provide general direction to the City Manager and staff to develop administrative procedures which are consistent with the City Council's goals and objectives.

### **IV. PROCEDURES**

The City Manager shall utilize the following process for developing and maintaining the appropriate documentation of City Council policies:

1. New policies, promulgated by the City Council, will be prepared in written form and submitted to the Council at a subsequent meeting for review and content approval.



## POLICY: CITY COUNCIL POLICIES

**Number:** C-1  
**Page:** 2

**Issue Number:** 1  
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2. Existing policies may be recommended for deletion or modification by any member of the City Council or the City Manager. Any such deletion or modification shall be placed on the City Council agenda and shall require a majority vote for approval.

Copies of these City Council policies shall be kept in the City's Administration office and in the City's public library.





## POLICY: USE OF CITY LETTERHEAD

Number: C-2  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To establish guidelines for Council use of City of Yorba Linda letterhead and stationary.

### **II. BACKGROUND**

The California Fair Political Practices Act establishes specific regulations and guidelines concerning the use of public funds for the purpose of campaigning for public office. The Act does not regulate the use of city stationary and/or letterhead when the correspondence in question is not designed to further a political campaign. In these instances, the City Council has determined that the correspondence must relate to bona fide City business and must not purport to advance or advocate a policy which has not been approved by the Council.

### **III. POLICY**

Councilmembers may use City of Yorba Linda letterhead and stationary for official City business consistent with policies and positions which have been approved by the City Council.

### **IV. PROCEDURES**

All City Council correspondence shall be reviewed by the City Manager prior to mailing to ensure compliance with the Council's policy.

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

**Number:** C-3  
**Page:** 1

**Issue Number:** 6  
**Date Adopted:** June 4, 2019  
**Replaces:** October 7, 2014

**I. PURPOSE**

To establish guidelines for use of the Government Access Channel ("Channel"), including, but not limited to, defining potential users and establishing procedures for placing information on the Channel. The mission of the Channel is to provide information to the citizens of Yorba Linda concerning the programs, services, and deliberations of local government; to provide public service information to the community; and to facilitate making local government more accessible. This policy will be effective from the date of adoption and will expire on June 30 of the following year, reverting to the original version dated November 6, 2007, unless directed by the City Council to extend it.

**II. BACKGROUND**

Pursuant to the Cable Communications Policy Act of 1984, channels may be designated for public, educational, and governmental (PEG) purposes. The Government Access Channel is available to Time Warner Cable television subscribers in Yorba Linda via Channel 3 and/or AT&T U-verse via Channel 99. The Channel is specifically designated for access by the City of Yorba Linda and is not required by law to offer access to individuals or entities other than the City.

**III. POLICY**

Cable television administration is a function of the City Manager's office. The City Manager's Office is responsible for implementing and overseeing the production of programming and coordinating the program schedule. All programming decisions will be made by the City Manager-and/or City Attorney.

**IV. GOALS**

The Channel is used to make local government more accessible. Specific goals include:

1. Increase resident access to local government and community meetings through various mediums, including live coverage of local government meetings via cable television;
2. Provide public information about government, programs, services, projects, and public safety in Yorba Linda;

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

**Number: C-3**  
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3. Keep residents informed of activities within the community and promote upcoming community events through the bulletin board service;
4. Provide information during local emergencies;
5. Ensure that programming is non-partisan and non-ideological.

**V. PROGRAMMING CATEGORIES**

The City Manager's office shall be responsible for coordinating the production and broadcast of the various types of programming as described below. Programming viewed on the Government Access Channel is categorized as follows:

**1. Text Generated Programming**

The City offers a bulletin board service consisting of pictures and/or text-generated information. Bulletin board messages will be aired during non-programming hours. All messages must be submitted in writing to the City Manager's office. If necessary, the message will be edited to improve readability and/or to make it fit within the limited space on the screen. Receipt of a message does not in any way guarantee its appearance on the Government Access Channel. Suitability for this channel and compliance with the policies and objectives contained herein will be determined by the City Manager. The date of input and the duration of broadcast time will be subject to staff availability and channel capacity. Messages displayed on the bulletin board shall be limited to those generated by the following defined internal and external users:

➤ **Internal Users:**

- i. Departments and Divisions of the City of Yorba Linda.

➤ **External Users:**

- i. County of Orange;
- ii. State of California;
- iii. Government agencies with which departments or divisions of Yorba Linda are affiliated, including, but not limited to, Boards and Committees, Special Districts, the County of Orange, and Orange County municipalities;

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

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- iv. Other governmental agencies that provide services to residents of Yorba Linda;
- v. Agencies that provide utility services to residents of Yorba Linda, including, but not limited to, water, sewer, trash, electric, gas, cable, and telephone services;
- vi. Public and private, bona fide educational institutions as defined in Education Code § 210.3, or as described in Education Code § 66010(a) and (b), and located within the City of Yorba Linda;
- vii. Yorba Linda Chamber of Commerce and other bona fide organizations whose primary purpose is to promote, assist and benefit business, trade, and economic development in the City of Yorba Linda;
- viii. Bona fide 501(c)(3) non-profit organizations and service clubs located and operated within the City of Yorba Linda (whose primary purpose is to provide charitable, financial, and in-kind support for the good of the community) that are promoting a community-oriented event or special meeting held in Yorba Linda; and
- ix. Museums, libraries, historical organizations, and similar bona fide 501(c)(3) non-profit organizations whose primary purpose is to provide cultural and historical resources for the good of the community and its visitors.

**2. Public Meeting Coverage**

All regular Yorba Linda City Council meetings are to be broadcast live then rebroadcast on a scheduled basis and on a tape-delayed basis unless otherwise specifically directed by a majority vote of the Council.

Video and/or digital recordings of the City Council meetings are retained for an indefinite period of time. However, as the video or digital files become unusable due to expiration of shelf life and/or storage space is exhausted, the Council may approve destruction of the oldest video/digital tapes. Arrangements can be made through the City Clerk's office to view the recordings at no cost. Other types of public meetings may be broadcast in the future.

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

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Issue Number: 6  
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Replaces: October 7, 2014

**3. City-Produced Programs**

City staff produces programming that relates to community issues, City services, and City-sponsored programs. An example of such programming is a City video newsletter which is prepared at intervals deemed appropriate by the City. The City Manager reserves the right to select appropriate programming as it relates to subject matter, filing locations, text generated information and/or audio scripts. Video and/or digital recordings of City-produced programs will be retained indefinitely. Arrangements can be made through the City Clerk's office to view the recordings at no cost.

**4. Pre-produced Programs**

Pre-produced programming (i.e. videos relating to government, utility services, or any other pertinent services relating to the safety of Yorba Linda residents) may be broadcast. Such programming will be screened by the City Manager for suitability and compliance with the policies and goals contained herein.

**5. Emergency Message Programming**

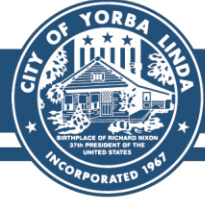
The Government Access Channel may be used to facilitate communications with residents during an emergency. In the event of an emergency situation, regularly scheduled programming on the Channel may be interrupted or cancelled in favor of an emergency override. Emergency broadcasts consist of live, taped, or text generated programming shown at any time as emergency situations dictate. The purpose of emergency programming will be to keep residents abreast of emergency situations, and to disseminate instructions relative to evacuation, detour and escape procedures. The content and scheduling of any emergency programming requires approval by the City Manager.

**6. Other Programming**

Other programming may be produced which does not fit into any existing program series. These programs will be considered "specials" and may be of any format. Special programs will focus on special activities, events, services, and issues pertinent to the City of Yorba Linda.

**VI. PROGRAMMING REQUESTS**

Internal and external users are eligible to request programming within the aforementioned scope of services. The City Manager is responsible for making all programming decisions in accordance with this Policy. Since the Government Access Channel is not a "Public Access Channel", programming that is outside the scope of the Channel's mission and

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

**Number:** C-3  
**Page:** 5

**Issue Number:** 6  
**Date Adopted:** June 4, 2019  
**Replaces:** October 7, 2014

goals will not be aired. The City has the sole right to determine the content and schedule of programming on the Channel and to edit or deny content that may be deemed offensive, obscene, illegal, or otherwise inappropriate.

**a. Procedure for Placement of Information for External Users**

External users wishing to utilize the bulletin board service must submit a request for information to be placed on the Channel by submitting the completed application and digital message at least two weeks (10 business days) prior to the proposed airdate. Requests must be submitted on the City-created application, available on the City's website, and the message must comply with the production specifications outlined in the application. The City Manager's Office will review the submission(s) for accuracy and completeness of information and to ensure that all content is in accordance with this Policy, if approved. The City Manager's Office will schedule the message to air on the Channel as part of the Message Board Slide Show. The date of input and the duration of the broadcast will be subject to staff availability and channel capacity. The slide will automatically be removed from the Slide Show on midnight the day of the event and/or program. Slides with no expiration date will be reviewed on a quarterly basis and may be removed by the City Manager's Office without notice. Notwithstanding these procedures, emergency messages that affect residents' health and safety will be included in the display sequence as soon as possible.

**b. Approval Authority**

The City Manager, or his or her designee, has the right and authority to deny any program request when it is determined, following review of a complete application and message submission, that the programming and/or bulletin board message does not meet the criteria set forth in this Policy, the applicant fails to provide all required information, or the applicant fails to provide truthful information.

**VII. PROGRAMMING ELIGIBILITY**

**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

**Number: C-3**  
**Page: 6**

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**Date Adopted: June 4, 2019**  
**Replaces: October 7, 2014**

To be eligible for production or broadcasting, programming must comply with the City's mission and goals for the Channel, as stated in this Policy, as well as meet all of the following criteria:

1. The programming shall relate to the programs, services, and deliberations of local government and organizations that provide services to, or events for, the residents of Yorba Linda. The programming shall relate to community issues and events.
  2. The programming shall not express political views. The programming shall be non-religious and shall not coerce anyone to support or participate in the exercise of religion, or tend to establish a preference for one religion over another. The Channel shall not serve as a mechanism for building support for a particular policy, belief, viewpoint, or issue.
  3. The programming shall not include slanderous, lewd, obscene, indecent, or violent material or language. When questions arise as to the admissibility of material or language in this regard, the material will be reviewed subject to federal, state, and/or local law.
  4. The programming shall not include paid advertising material designed to promote the sale of commercial products or services, or any programming in which commercial appeals for funds are made. Grants for programming purposes shall not be considered as advertising. Paid advertising material includes, but is not limited to, advertising by or on behalf of a candidate for public office and paid messages for which the primary purpose is to promote a single service, product, trade, or business.
  5. The programming shall not include copyrighted material, unless clearances for use have been obtained and written proof of such clearance is presented.
  6. The programming shall not include programming prohibited by applicable federal, state, or local laws.
  7. The programming shall not include declared candidates for any elective public office and persons advocating any cause, viewpoint or policy, proposed or otherwise, except in a program or service where the format allows for all candidates or sides of an issue to be heard on an equal basis. A person is deemed to be a candidate for public office from the time that person takes out nomination papers for public office. Candidates for public office may appear on the Government Access Channel on a bona fide news program, if the appearance of the candidate is incidental to presentation of the subject matter; or in coverage of official city meetings such as City Council.
-



**POLICY: USE OF GOVERNMENT ACCESS CHANNEL**

**Number:** C-3  
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**Issue Number:** 6  
**Date Adopted:** June 4, 2019  
**Replaces:** October 7, 2014

8. Opinions expressed on the Channel may not necessarily reflect those of the City of Yorba Linda, the Yorba Linda City Council, or City of Yorba Linda staff.





## POLICY: CITY MANAGER EVALUATION

Number: C-4  
Page: 1

Issue Number: 1  
Date Adopted: June 2, 2020  
Replaces: August 9, 1994

### **I. PURPOSE**

To establish a procedure whereby the Yorba Linda City Council evaluates the performance of the City Manager on an annual basis in order to ensure the continued efficient and effective operation of the City.

### **II. BACKGROUND**

In order to ensure that City policies are efficiently and effectively carried out, it is important that the City Council periodically review the performance of the City Manager. Such a review would help clarify the direction the City organization is going, provide feedback to the manager on his relationship with the Council, and allow the manager to provide input on how he believes the Council is collectively addressing policy matters.

### **III. POLICY**

The City Council of the City of Yorba Linda shall, on an annual basis, perform a formal, written review of the City Manager's performance and shall provide the City manager with an opportunity to provide feedback to the Council on matters regarding important City policy.

### **IV. PROCEDURES**

On or before July 15 of each year, the City Council and City Manager shall initiate an evaluation process, utilizing a form and format acceptable to both the Council and the City Manager. The evaluation of the City Manager shall be held during a closed session meeting(s) of the City Council.

The City Council shall provide an opportunity for the City Manager to respond to the evaluation at a subsequent closed session meeting.



## POLICY: CONFLICT OF INTEREST OPINION

Number: C-5  
Page: 1

Issue Number: 1  
Date Adopted: February 4, 1997

### **I. PURPOSE**

To establish procedures by which members of the Yorba Linda City Council, Yorba Linda Redevelopment Agency, or their staff, may request an advisory option from the City Attorney relating to potential conflicts of interest.

### **II. BACKGROUND**

Government Code Sections 87100 et. Seq. prohibits public officials from participating in any discussion or decision regarding an issue in which the public officials has a material financial interest. When such an issue arises, the public official is required to declare a conflict of interest and must exit himself or herself from any such discussion and/or decisions. It is the responsibility of the local official to identify and declare conflicts of interest.

When a public official believes that he or she has a conflict of interest, the City Attorney may be called upon to give an opinion. Some conflicts of interest may be readily identifiable while others may be more obscure. For example, a City Council action regarding a parcel of land which is owned by a Councilmember or which proximate to a parcel of land owned by a Councilmember is a relatively easy conflict to identify. Others, including complex business relationships, may be more difficult to determine. In the past, those situations in which conflicts are relatively obvious have required only a simple statement from the City Attorney affirming the Councilmember's conflict. In those instances where the conflict has been made by another, a lengthy investigation could be required.

Traditionally the public official summarizes the reason he or she may have a conflict and the City Attorney assesses these facts in the light of current law. However, since the California Fair Political Practices Commission (FPPC) has ultimate authority to rule on conflicts, any City Attorney opinion would be advisory only. It is up to the individual public official to accept this City Attorney opinion or request an FPCC ruling.

### **III. POLICY**

Members of the Yorba Linda City Council, Redevelopment Agency and/or their staffs may request an advisory opinion from the City Attorney regarding any potential or alleged conflict of interest. Furthermore, any city official who is in receipt of such information may file a request with the Fair Political Practices Commission for a review of the issue and a ruling as to any conflicts of interest.

**POLICY: CONFLICT OF INTEREST OPINION**

**Number: C-5**  
**Page: 2**

**Issue Number: 1**  
**Date Adopted: February 4, 1997**

**IV. PROCEDURES**

The following shall constitute the procedure for requesting and receiving an opinion concerning conflicts of interest:

1. A request of the City Attorney for a conflict of interest opinion may be made orally or in writing. However, the City Attorney, at his discretion, may require that any oral request be submitted in writing.
  2. The City Attorney shall preform any and all investigation he deems necessary to make the requested legal opinion.
  3. The City Attorney shall provide any requested legal opinion in written memorandum. However, he City Attorney may deliver the opinion orally under the following conditions:
    - If the preparation of such written memorandum would delay the efficient conduct of public businesses;
    - If the facts presented to the City Attorney are sufficient to identify the issues involved, thereby precluding the need for additional investigation;
    - If the City Attorney receives the requester's consent.
  4. The requester may, at his or her discretion, disregard the City Attorney's opinion and file a request with the Fair Political Practices Commission directly for a ruling on the conflict of interest.
-



## POLICY: GRAD NIGHT CONTRIBUTIONS

**Number:** C-6  
**Page:** 1

**Issue Number:** 3  
**Date Adopted:** June 2, 2020  
**Replaces:** May 7, 2002

### **I. PURPOSE**

To establish guidelines for providing annual supplemental funding for High School Grad Night Committees. City contributions are to provide a safe environment for the graduates to celebrate their achievements and to promote public safety.

### **II. BACKGROUND**

High schools in the Placentia-Yorba Linda Unified School District conduct Graduation Night Celebrations (Grad Night) at the end of the school year for graduating seniors. Grad Night promotes public safety by providing a means for students to celebrate graduation in an alcohol and drug free environment. Since 1998, Grad Night Committees from various local high schools have received funding from the City of Yorba Linda in order to offset expenses related to Grad Night.

### **III. POLICY**

The City Council of the City of Yorba Linda may establish a budget for making cash contributions to Grad Night Committees. The allocation of the budget shall be in accordance with the procedures set forth in this policy.

### **IV. PROCEDURE**

Grad Night Committees may submit a written request to the City for supplemental funding pursuant to this policy. High schools must have Yorba Linda students enrolled in their senior graduating class in order to be eligible for funding. The high school requesting the funding must in good faith provide the City with the number of graduate students specifically residing in Yorba Linda.

The City Council may allocate funds to eligible high schools in the amount of \$7.00 for each Yorba Linda student enrolled in the graduating senior class. Such funding shall be included in the City's operating budget until further direction by the City Council and any requests for funding shall be subject to the availability of these funds.

**POLICY: CITY COUNCIL COMMITTEES**

Number: C-7  
Page: 1

Issue Number: 2  
Date Adopted: November 20, 2007

**I. PURPOSE**

To establish a policy and procedures for council and staff in evaluating issues to be deliberated by the City Council.

**II. BACKGROUND**

The City Council recognizes the need to have issues deliberated and decided openly and publicly. The public should have the right to provide input regarding items presented to the City Council, early in the deliberation process and before a decision is made. Deliberation without notice to the public and an opportunity for public comment should be avoided. Nonetheless, some issues before the City Council are of a technical nature, very complex, or involve negotiations where ongoing meetings will be required. In these cases, consideration by the entire City Council at City Council meetings or study sessions may be impractical and preliminary investigation and analysis by a City Council committee may be more efficient and effective.

**III. POLICY**

**Standing Committees** are defined as committees that have either: 1) a continuing subject matter jurisdiction or 2) a meeting fixed by ordinance, resolution, or other formal action of the City Council. Standing Committees shall comply with the requirements of the Ralph M. Brown Act (California Government Code § 54950 et seq.)

Ad Hoc Committees are defined as committees that are: 1) composed solely of less than a quorum of the City Council or other legislative body, 2) formed for a limited or specific purpose, and 3) effective for a limited or specific duration. Ad hoc committees shall be dissolved once their specific task or purpose is completed.

It is the City Council's policy to consider issues, to the extent practical and in the best interest of the public, in the following order:

- Regular or Special City Council Meetings
- City Council Study Sessions
- Standing Committee Meetings
- Ad Hoc Committee Meetings



## POLICY: CITY COUNCIL COMMITTEES

**Number:** C-7  
**Page:** 2

**Issue Number:** 2  
**Date Adopted:** November 20, 2007

In all cases where the City Council establishes an *ad hoc* committee, the City Council shall require that:

- The committee shall be formed at the time the issue is identified.
- All committee meetings shall be open to the public except when the subject matter falls under the criteria established by the Brown Act permitting closed sessions. In addition, Ad Hoc Committee meetings may be closed when committee members are discussing quasi-personnel matters such as reviewing applications to fill vacancies on any City Commission or the City Council.
- The limited purpose of the ad hoc committee shall be well defined and changes to the committee's purpose during deliberations shall be reported to the City Council in a timely fashion
- The committee shall regularly report its progress to the City Council
- The committee shall be comprised solely of two members of the City Council

The ad hoc committee is an advisory body of the Council and has no authority to act on its own for the City.

## **IV. PROCEDURE**

Any member of the City Council or the City Manager may request the establishment of a standing committee or ad hoc committee by placing the matter on a City Council meeting agenda under the "Other Business" item. The actual establishment of any standing or ad hoc committee shall be pursuant to this policy and shall require a majority vote of the City Council.

The City Manager, or his designee, shall serve as staff to all standing and/or ad hoc committees.



## POLICY: PROCESS FOR PLACING ITEMS ON THE CITY COUNCIL MEETING AGENDA

Number: C-8  
Page: 1

Issue Number: 1  
Date Adopted: November 20, 2007

### **I. PURPOSE**

To establish the procedures by which a member of the City Council can have items placed on the agenda for an upcoming regularly-scheduled Council meeting.

### **II. BACKGROUND**

Items may be placed on the City Council's regular meeting agenda by the City Manager or any individual Council member for discussion and/or action. The City Clerk must post meeting agendas a minimum of 72 hours prior to the meeting.

### **III. POLICY**

Members of the City Council may place any discussion item they wish on an upcoming regularly-scheduled City Council meeting agenda by conveying the appropriate title to the City Manager. Agendas for specially-called City Council meetings shall be limited to the items that are the subject of the special meeting.

City staff will not prepare any reports or analyses relating to Council agenda items submitted pursuant to this policy until directed to do so by a majority of the City Council.

### **IV. PROCEDURES**

The placement of items on a regular City Council meeting agenda by members of the City Council shall conform to the following procedures:

1. Council members wishing to place an item on an upcoming meeting agenda shall contact the City Manager by telephone, email, or in person and convey the desired title of the agenda item and the desired meeting date (if not the immediately upcoming regular meeting).
2. The City Manager shall direct the City Clerk to include the agenda item title and the name of the Council member requesting it under the "Other Business" section of the agenda. These shall be listed under Other Business in the order in which they were received by the City Manager.
3. Council members wishing to place an Other Business agenda item must contact the City Manager with the appropriate title before 5:00 pm on the Wednesday prior to the meeting. This will give the City Clerk time to finalize the agenda and



## **POLICY: PROCESS FOR PLACING ITEMS ON THE CITY COUNCIL MEETING AGENDA**

**Number:** C-8  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** November 20, 2007

post it within the 72-hour statutory timeframe. Requests received after this deadline shall be placed on the following regularly-scheduled meeting.

4. City Council members may not place Other Business items on agendas for special meetings.
5. City staff will not prepare any reports or analyses relating to Council agenda items submitted pursuant to this policy until directed to do so by a majority of the City Council.





## POLICY: REQUESTS TO CONTINUE A SCHEDULED PUBLIC HEARING

Number: C-9  
Page: 1

Issue Number: 1  
Date Adopted: May 6, 2008

### **I. PURPOSE**

To prohibit the automatic continuance of a scheduled public hearing before the City Council based exclusively on a request by the project applicant or appellant.

### **II. BACKGROUND**

Certain matters that require City Council consideration at a noticed public hearing, whether by legislative process or on appeal from a previous action, are published in the local newspaper and notices mailed to all property owners within 300 feet of the project site. Notices are either published or mailed at least 10 days prior to the public hearing.

Project applicants or appellants, as is their right, will occasionally contact the appropriate City department staff to request a continuance of their scheduled public hearing to another meeting date. These requests occur for a variety of reasons (i.e., last-minute scheduling conflicts, need to assemble additional information, discussions/negotiations with affected stakeholders, etc.). It is not uncommon for a project applicant or appellant to assume that their request for continuance will be automatically granted and, consequently, not attend the originally scheduled public hearing.

The automatic granting of continuances for scheduled public hearing items can result in significant inconvenience for area residents and stakeholders who have arranged their own schedules in order to participate in the public hearing and who were not made aware of the request for a continuance. The Yorba Linda City Council has therefore expressed its desire to clarify its intent to not automatically approve the request of an applicant/appellant to continue the public hearing.

### **III. POLICY**

A written request for continuance of a duly noticed public hearing shall not be assumed to be automatically granted, but shall only be granted if approved by the City Council by majority vote when that item is considered at the scheduled public hearing. If the request to continue the public hearing is not approved by majority vote of the City Council then the public hearing shall proceed as scheduled whether the project applicant is present or not.

### **IV. PROCEDURE**

**POLICY: REQUESTS TO CONTINUE A SCHEDULED PUBLIC HEARING**

**Number: C-9**  
**Page: 2**

**Issue Number: 1**  
**Date Adopted: May 6, 2008**

An applicant/appellant's written request for continuance shall be considered by the City Council at the time that the item is addressed on the agenda as scheduled, after the actual opening of the public hearing but prior to the taking of public testimony. The applicant/appellant should make every effort to insure that the written request for continuance is submitted to the appropriate City department head prior to the assembly of the agenda packet and its delivery to the City Council.

The department head shall advise any applicant/appellant who submits a written request for a public hearing continuance of the following:

1. There is no guarantee that such request will be honored.
2. Notwithstanding the request, the applicant/appellant should arrange for some kind of representation at the noticed date and time of the public hearing in the event that the request is denied.

If a motion is made and seconded to continue the item to a date certain, then the City Council shall vote on the request for continuance. If a majority vote of the City Council supports the motion to continue, the project application shall be continued to the date prescribed in the motion. If the motion to continue is not approved by a majority vote, then the public hearing on the matter shall proceed as scheduled. The presence or absence of the project applicant/appellant at the public hearing shall have no bearing on whether the public hearing proceeds as scheduled.

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## POLICY: CREATION AND PUBLICATION OF ACTION MINUTES FOR CITY COUNCIL MEETINGS

Number: C-10  
Page: 1

Issue Number: 1  
Date Adopted: July 15, 2008

### **I. PURPOSE**

To require the use of action minutes to document the proceedings of City Council meetings.

### **II. BACKGROUND**

The City is required to document the proceedings of City Council meetings. In the past, the City Clerk has generated “summary minutes” of City Council meetings. These minutes are intended to summarize both the discussion that occurred relative to each agenda item (both public and Council) as well as the various actions that the Council took.

Technology is now available that permits the streaming of the video feed of City Council meetings on the Internet. With this technology, a viewer may jump to specific agenda items to watch what occurred during the meeting. The technology also provides links to the staff reports that were prepared and submitted on each agenda item. As a result, the production of summary minutes has now become redundant. The production of “action minutes” (documenting the decisions and actions that were taken by the Council without summarizing the discussion that took place) would allow the City Clerk to make more effective and efficient use of staff time.

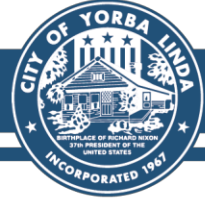
This same technology can also be adapted for use by each of the City Commissions - Traffic Commission, Library Commission, Parks & Recreation Commission and Planning Commission, utilizing online audio (rather than video) files.

### **III. POLICY**

The City Manager shall insure that the appropriate technology is available to create a video and/or audio record of City Council and City Commission meetings. These video/audio records shall be made available to the public through the City’s Internet website. In addition, the City Clerk shall create and publish action minutes for the proceedings of all Council meetings.

### **IV. PROCEDURE**

The City Manager and City Clerk shall utilize appropriate technology to insure that captured video and audio feeds of City Council meetings are streamed live on the City’s Internet website and are made available through an online archive for future retrieval. The



## POLICY: CREATION AND PUBLICATION OF ACTION MINUTES FOR CITY COUNCIL MEETINGS

**Number:** C-10  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** July 15, 2008

technology shall also insure that the public has online access to the agendas of these meetings as well as any staff reports that were prepared.

The City Manager shall also make similar technology available for audio-only playback of all City Commission meetings. The archived files shall also be accessible through the City's Internet website and shall also provide access to the agendas of these meetings as well as any staff reports that were prepared.

Following each City Council meeting, the City Clerk shall prepare and publish "action minutes" documenting the decisions and actions that were taken by the Council.



## POLICY: BAN ON TEXTING AND EMAILING ABILITIES AT THE DAIS

Number: C-11  
Page: 1

Issue Number: 2  
Date Adopted: June 2, 2020  
Replaces: June 1, 2010

### **I. PURPOSE**

To establish guidelines for the use of cell phone, computer texting and emailing abilities while in deliberation at the dais.

### **II. BACKGROUND**

A motion was made at the February 16, 2010 City Council Meeting that a City Council policy be made to ban the use of all cell phone, texting, and emailing abilities while in deliberation at the dais. That motion was unanimously approved by the City Council at the meeting and staff was directed to bring this policy back for adoption.

### **III. POLICY**

1. During a public meeting, the City Council shall be banned from the use of all cell phone, texting, and emailing abilities to discuss any item on the City Council Meeting agenda.
2. This policy shall take effect immediately and shall not have any expiration date, unless altered or deleted by a City Council vote.

### **IV. PROCEDURE**

The City Council is responsible for administering this policy.



## POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS

**Number:** C-12  
**Page:** 1

**Issue Number:** 3  
**Date Adopted:** June 2, 2020  
**Replaces:** January 4, 2011

### **I. PURPOSE**

The City of Yorba Linda ("City") wants to ensure its residents, employees and those conducting business with the City that the City is a public agency that emphasizes values in ethics, public service, leadership and decision-making.

All elected and appointed officials of the City ("Officials") shall be subject to the provisions of this Code of Conduct ("Code"), in addition to any and all other City policies, laws, and regulations that apply to such Officials. This Code sets the minimum requirements of behavior for Officials. The purpose of this Code is to:

- Describe the highest standards of behavior expected of City leaders.
- Promote and maintain an environment which fosters the public's trust and confidence in the City.
- Provide an ongoing source of guidance to City leaders in their day-to-day service.

### **II. KEY PRINCIPLES**

The Code is based on the following key principles:

#### **2.1 Integrity**

Officials shall not place themselves under any financial or other obligation to any individual or organization that might reasonably be thought to influence the Official's performance of his/her duties.

#### **2.2 Leadership**

Officials have a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the City.

#### **2.3 Selflessness**

Officials have a duty to make decisions solely in the public interest. Officials shall not act in order to gain financial or other benefits for themselves or their family,

**POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS**

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friends or business interests. This means making decisions because they benefit the City and the public, not because they benefit the decision maker.

**2.4 Objectivity**

Officials shall make decisions solely on merit and in accordance with the Official's statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts or recommending individuals for rewards or benefits. This means fairness to all; impartial assessment; merit selection in recruitment and in purchase and sale of City resources; considering only relevant matters.

**2.5 Accountability**

Officials shall be accountable to the public for their decisions and actions and must consider issues on their merits, taking into account the views of others. This means giving and recording reasons for decisions; submitting to scrutiny; keeping proper records; establishing audit trails.

**2.6 Openness**

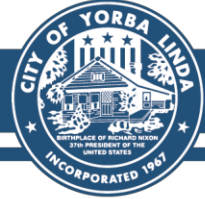
Officials have a duty to be as open as possible about their decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands. This means giving, revealing and recording reasons for decisions; revealing other avenues available to the client or business; when authorized, offering all information, communicating clearly.

**2.7 Honesty**

Officials have a duty to act honestly. Officials shall declare any private interests relating to their public duties and take steps to resolve any conflicts arising in such a way that protects the public interest. This means obeying the law; following the letter and spirit of policies and procedures; observing this Code; fully disclosing actual or potential conflict of interests and exercising any conferred power strictly for the purposes for which the power was conferred.

**2.8 Respect**

Officials must treat others with respect at all times. This means treating fellow Officials, City employees and the public with courtesy and civility, actively listening, observing the rights of other people, and recognizing the different roles others play in local government decision making.

**POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS**

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**III. CONDUCT OF OFFICIALS****3.1 Ethics Training**

Officials shall complete two (2) hours of state-mandated ethics training for local agency officials to meet the specific requirements of AB 1234 and to explain the provisions of the Yorba Linda Ethics Ordinance and this Code.

**3.2 Harassment Prevention Training**

Officials shall complete two (2) hours of sexual harassment prevention training and education every two years.

**3.3 Relationship between Officials**

Officials shall strive to work collaboratively and assist each other in conducting the affairs of the City. Officials shall function as part of a whole. Officials shall bring all issues to the attention of the legislative body of which the Official is a member, as a whole, rather than to select individual members of such legislative body.

**3.4 Relationship with the Public**

Officials shall refer all complaints from residents and property owners within the City to the City Manager. Officials shall not make representations or promises to any third party regarding the future action of the City or of the body of which they are a member, unless such representation or promise has been duly authorized by the appropriate body. When making public utterances, Officials shall make it clear whether they are authorized to speak on behalf of the body of which they are a member, or whether they are presenting their own views. When representing the legislative body of which they are a member, an Official's comments should reflect approved City policies. In areas where no policy has yet been developed, the Official's comments shall make this fact clear.

**3.5 Presentation and Appearance to the Public**

In order to present a positive image to the public, customers and residents, Officials should strive to maintain a professional appearance while performing their duties as Officials. For example, and not by way of limitation, Officials should attend meetings and events in neat and clean attire and should strive to maintain a good personal appearance appropriate to the role of an elected or appointed official of a public agency.



**POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS**

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### 3.6 Relationship with City Employees

The City Council sets the policy of the City. The City Manager is responsible for implementing the policy as formulated by the City Council. Officials shall not engage in actions which would constitute day-to-day management. The City Manager is the highest-ranking nonelected officer of the City. The City Manager is appointed by and serves at the pleasure of the City Council and performs such duties as may be imposed by the City Council. Therefore, the City Council will provide policy direction and instructions to the City Manager on matters within the authority of the City Council by majority vote of the City Council during a duly convened City Council meeting. Officials will deal with matters within the authority of the City Manager through the City Manager, and not through other City employees. Officials, when approached by City personnel concerning specific City policy, shall direct inquiries to the City Manager. The chain of command shall be followed. Officials' contact with City employees should be kept to a minimum and should not exceed three (3) hours per week.

### 3.7 Relationship with other Public Agencies

When an Official appears before another governmental agency or organization, the Official shall make it clear (1) whether his or her statement reflects personal opinion or is the official stance of the City or (2) whether his or her statement is the majority or minority opinion of the legislative body of which he/she is a member. When representing the City, the Official shall support and advocate the official City position on an issue, not a personal viewpoint.

When representing the legislative body of which the Official is a member, the Official's comments should reflect approved City policies. In areas where no policy has yet been developed, the Official's comments shall reflect the viewpoint of a majority of the legislative body of which the Official is a member. If the legislative body's viewpoint is unclear or not known, the Official shall state this fact. Officials should be careful not to add personal editorial comment.

When representing another organization whose position is different from the City, the Official shall withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interests. Officials should be clear about which organizations they represent and inform the legislative body of which the Official is a member of his/her involvement in the other organization.

**POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS**

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**3.8 Information Requests**

Officials shall request all documents through the City employee who is assigned to attend the meetings of the legislative body of which the Official is a member. All requested public documents shall be provided to the Official making the request within a reasonable period of time. All other Officials who are members of the same legislative body as the requesting Official will be notified of the requests and said documents shall be made available to them upon request.

Officials requesting a copy of audiotapes of public meetings shall receive one copy of the meeting tape(s) free of charge, after staff has had the opportunity to prepare the meeting minutes from said tape(s) and after staff has had time to prepare the copy. To ensure the integrity of the original audiotapes, copies shall not be made until after the minutes are prepared.

Officials shall not request legal research or legal opinions from the City's legal counsel without City Council approval. Officials shall not request legal assistance or legal advice of a personal or business nature from the City's legal counsel at City expense. Officials shall not have the authority to waive the attorney client privilege of the City by disclosing the legal opinions or advice of the City's legal counsel to a third party. Officials shall not breach the confidentiality requirements of the Brown Act with respect to matters discussed in closed session.

**3.9 Proper Use and Safeguarding Of City Property and Resources**

Officials shall only use City-owned equipment, telephones, electronic devices, email, materials or property for the execution of City business. An Official will not ask a City employee to perform services for the personal benefit or profit of the Official. Each Official must protect and properly use any City asset within his or her control. Officials shall safeguard City property, equipment, monies, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

**IV. COMPLAINT HANDLING PROCEDURES AND SANCTIONS****4.1 Disciplinary Action**

In the event that Officials breach this policy or any applicable state, local or federal law, they may be subject to informal or formal sanctions by the City Council. The

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procedures for imposition of informal or formal sanctions, as set forth below, may be subject to revision by the City Council, in consultation with the City's legal counsel, for any particular case based on the facts and circumstances of a particular case.

**Informal Sanctions**

*Admonishment* - This is the least severe form of action. An admonishment may typically be directed to all members of a legislative body, reminding them that a particular type of behavior is in violation of law or City policy, and that, if it occurs or is found to have occurred, could make a member subject to sanction or censure.

An admonishment may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by such allegations. An admonition may be issued by the City Council prior to any findings of fact regarding allegations, and because it is a warning or reminder, would not necessarily require an investigation or separate hearings to determine whether the allegation is true.

*Sanction* - Sanction should be directed to a particular Official based on particular action (or set of actions) that is determined to be in violation of law or City policy, but is considered by the City Council to not be sufficiently serious to require censure. A sanction is distinguished from censure in that it is not a punishment.

A sanction may be issued based upon the City Council's review and consideration of a written allegation or a policy violation. The Official accused of such violation shall be entitled to notice of the allegation and will have an opportunity to provide a written response to the allegation prior to any City Council action. A sanction may be issued by the City Council and because it is not punishment or discipline, would not necessarily require an investigation or separate hearings.

**Formal Sanction**

Before the imposition of any formal sanction, the Official accused of a violation shall be entitled to notice of the allegation, the right to provide a written response to the allegation, and an opportunity to respond in writing to the results of an investigation.

**POLICY: CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS**

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*Investigative Process* - A written complaint alleging a violation by an Official shall be filed with the City Manager by any individual who claims to be aware of, or to have been impacted by, the alleged violation. Once the complaint is filed, the City Manager shall bring the matter before the City Council in consultation with the City's legal counsel. The Official named in a complaint shall be given an opportunity to respond to the complaint in writing. If the City Council determines, in consultation with the City's legal counsel, that an investigation is warranted, the City Council shall initiate an investigation by the appropriate investigator, entity or authority, as determined in the reasonable discretion of the City Council. In the event of such an investigation, a report of the findings of said investigation, along with the accused Official's written response to the report, shall be presented to the City Council for majority action. If there is no merit, the matter shall be disposed of with no further action. When the City Council decides, based upon findings and the accused Official's written response, that a violation has occurred, it may impose either of the following punishments:

*Censure* - This is the most severe form of action contemplated in this policy. Censure is a formal statement of the City Council officially reprimanding an Official. It is a punitive action, which serves as a penalty imposed for wrongdoing, but it carries no fine or suspension of the rights of an Official, if the Official is an elected official. Censure should be used for cases in which the City Council determines that the violation is a serious offense.

In order to protect the overriding principle of freedom of speech, the City Council shall not impose censure on any Official for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the City Council and the City. However, nothing herein shall be construed to prohibit the City Council from collectively condemning and expressing their strong dislike of such remarks.

*Admonishment* - If the City Council decides that a violation did occur but that it does not rise to the level of censure, the City Council may elect to impose an admonishment as set forth above.

**POLICY: WHISTLEBLOWER PROTECTION**

**Number: C-13**  
**Page: 1**

**Issue Number: 1**  
**Date Adopted: January 18, 2011**

**I. PURPOSE**

To encourage employees to report information concerning any allegedly improper governmental action by City's officers or employees. To prevent retaliation against any employee who in good faith reports such allegedly improper governmental action. This policy reflects the City's ongoing effort to support open, ethical, accountable and transparent local government.

**II. BACKGROUND**

The City of Yorba Linda is committed to protecting its revenue, property, information and other assets from any acts, either by members of the public, contractors, sub-contractors, agents, intermediaries or its own employees, of improper action or wrongdoing. This policy implements the California whistleblower protection laws set forth in Government Code section 8547 et seq., Government Code section 9149.20 et seq., Government Code section 53296 et seq., and Labor Code section 1102.5.

**III. POLICY**

The City will take all appropriate steps to thoroughly evaluate any allegations of improper governmental action which are brought to its attention. The City will not take retaliatory action against any employee who, in good faith, has made a complaint or allegations concerning improper governmental action

**IV. DEFINITIONS**

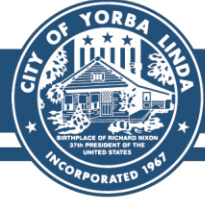
"Improper governmental action" means any action by a City officer or employee:

- a. that is undertaken in the performance of the officer's or employee's official duties, whether or not within the scope of the employee's employment, and
- b. that is in violation of any federal, state or local law, rule or policy, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

"Improper governmental action" shall not include any personnel or labor actions.

"Retaliatory action" means:

- a. any adverse change in an employee's employment status or the terms and conditions of employment including denial of adequate staff to perform duties,
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**POLICY: WHISTLEBLOWER PROTECTION**

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frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or

- b. hostile actions by another employee towards the employee that were encouraged by a supervisor or senior manager or official.

**V. REPORTING PROCEDURE****A. Reporting Alleged Improper Governmental Action**

1. Every City employee has the right to report to the appropriate person (as specified in this policy) information concerning an alleged improper governmental action.
2. Any City employee who desires to report alleged improper governmental action should first report in writing such action to the employee's immediate supervisor provided the supervisor is not involved in the alleged improper governmental action, stating in detail the basis for the employee's belief that an improper governmental action has occurred. The written report should be submitted as soon as the employee becomes aware of the improper governmental action
3. When the alleged improper governmental action involves the employee's immediate supervisor, the employee should report in writing such action to the City Manager. If the alleged improper governmental action involves the City Manager, the employee should report in writing such action to the City Attorney or the Mayor.
4. Except in the case of an emergency, a City employee shall not provide information of an improper governmental action to a person or entity other than specified above. An employee who fails to make a good faith attempt to follow the procedure set forth herein for reporting alleged improper governmental action shall not receive the protections of this policy.

**B. Investigation of Alleged Improper Governmental Action**

1. The City will take all appropriate steps to thoroughly evaluate and investigate any alleged improper governmental action that are brought to its attention. The City will determine when circumstances warrant an investigation and the appropriate investigative process to be followed, in accordance with applicable laws, policies and regulations.

**POLICY: WHISTLEBLOWER PROTECTION**

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2. The City shall keep confidential the identity of the person reporting the alleged improper governmental action to the extent possible within the limitations of the law and the legitimate need to know in order to carry out an investigation, unless the employee authorizes in writing the disclosure of his or her identity.

**VI. WHISTLEBLOWER PROTECTION****A. Retaliatory Action Forbidden**

No City official or employee shall take retaliatory action against a City employee because the employee provided information in good faith in accordance with the provisions of this policy that an improper governmental action occurred.

**B. Procedure for Seeking Relief Against Retaliatory Action**

1. If an employee believes he or she has been subject to retaliatory action in violation of this policy, the employee must provide a written complaint to the employee's immediate supervisor, provided the supervisor is not involved in the alleged retaliatory action. The complaint must specify the alleged retaliatory action and the relief requested.
  2. If the alleged retaliatory action involves the employee's immediate supervisor, the employee should report in writing such action to the City Manager. If the alleged retaliatory action involves the City Manager, the employee should report in writing such action to the City Attorney or the Mayor.
  3. The written complaint of alleged retaliatory action must be submitted no later than thirty (30) calendar days after the occurrence of the alleged retaliatory action. The City will then have thirty (30) calendar days to investigate and respond to the complaint and the request for relief.
  4. Upon receipt of the response by the City or after the lapse of the thirty (30) calendar days, the employee may request a hearing before the City Council to determine whether a retaliatory action has occurred and to obtain appropriate relief. The request for a hearing must be made within fifteen (15) calendar days of receipt of the City's response or the lapse of the thirty (30) calendar day response time. Requests must be in writing and made to the City Manager.
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## POLICY: WHISTLEBLOWER PROTECTION

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5. If the employee has met all the time requirements a hearing will be scheduled before the City Council. The burden of proof is on the employee to prove his or her claim by a preponderance of the evidence. The City Council will issue a final decision consisting of findings of fact, conclusions of law, and judgment no later than forty-five (45) calendar days following the request for hearing. The City Council may grant extensions of time on their own motion or upon the request of either the employee or the person accused of retaliatory action upon a showing of good cause.

### **VII. BAD FAITH ALLEGATIONS**

Any individual who knowingly makes a false or bad faith complaint or who knowingly makes a false or misleading statement during an investigation will be subject to disciplinary or legal action. Where the results of the investigation determine that a complaint or allegation was made in bad faith, the City Manager, in consultation with the City Attorney, will determine the action that is to be taken with respect to the complainant.



**POLICY: AUDIO/VISUAL PRESENTATION GUIDELINES FOR MEETINGS**

**Number:** C-14  
**Page:** 1

**Issue Number:** 3  
**Date Adopted:** June 2, 2020  
**Replaces:** August 5, 2014

**I. PURPOSE**

To establish guidelines for public presentations at City Council Meetings, Commission Meetings, or Special Meetings, where advance notification of presentations and proper use of the City's projection equipment will allow meetings to progress smoothly, be presented in a consistent manner, and limit the City's exposure to liability.

**II. BACKGROUND**

This policy applies to members of the public who wish to make a computer-generated (PowerPoint, slideshow, video, etc.) presentation at a City Council Meeting, Commission Meeting, or Special Meeting.

**III. POLICY**

Members of the public shall adhere to these guidelines when providing an audio/visual presentation at a City Council Meeting, Commission Meeting, or Special Meeting.

**IV. PROCEDURES**

**Council Meetings** - All audio/visual presentations must be delivered to the City Clerk's Office by 12:00 p.m. on the Monday preceding the City Council Meeting. If your presentation is a DVD or CD, please bring it to the City Clerk's office. If your presentation includes viewing a website, please email the web address (URL) to the City Clerk's office. If your presentation is no larger than 10MB's, you may email it to the City Clerk's office. Audio/visual material will not be presented if above deadline is not met. Residents may still speak without aid of electronic visuals.

**Commission Meetings** - All audio/visual presentations must be delivered to the specific Commission's Recording Secretary by 12:00 p.m. on the day preceding the City Commission Meeting. If your presentation is a DVD or CD, please bring it to Recording Secretary. If your presentation includes viewing a website, please email the web address (URL) to the Recording Secretary. If your presentation is no larger than 10MB's, you may email it to the Recording Secretary. Audio/visual material will not be presented if above deadline is not met. Residents may still speak without aid of electronic visuals.

**POLICY: AUDIO/VISUAL PRESENTATION GUIDELINES FOR MEETINGS**

**Number: C-14**  
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**Issue Number: 3**  
**Date Adopted: June 2, 2020**  
**Replaces: August 5, 2014**

All presentations must comply with applicable time limits for Public Comments. Use of the audio/visual equipment to present information that is defamatory, obscene or not within the subject matter jurisdiction of the City Council or City Commissions is prohibited.

Staff will review the data for potential copyright violations, viruses, obscene or defamatory material, and to ensure its compatibility with the City of Yorba Linda's presentation equipment. The City reserves the right to ask that a presentation be revised as necessary to ensure appropriate content and compatibility. Staff should be advised if the presentation contains any audio or animation.

Presenters for City Council Meetings should arrive at least 15 minutes prior to the meeting to check in with the City Clerk. Presenters for Commission Meetings should arrive at least 15 minutes prior to the meeting to check-in with the Commission's Recording Secretary. The presentation will be set up by a staff member who will also operate the equipment during PowerPoint or slideshow presentations. Alternatively, the presenter may wish to operate the wireless mouse themselves.

Eight (8) copies of the presentation should be delivered to the City Clerk's office before the start of the City Council Meeting to be distributed to Council, City Manager, City Attorney, and City Clerk. A standard fee will be charged to the presenter should the City Clerk need to make the copies.

Eight (8) copies of the presentation should be delivered to the Commission's Recording Secretary before the start of the meeting to be distributed to Commissioners, Department Head, Recording Secretary, staff and/or City Attorney. A standard fee will be charged to the presenter should the City need to make the copies.

Presentations will become part of the public record and will be included in the records retained in the Office of the City Clerk and/or specific Commission's Department.

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## POLICY: BIENNIAL COUNCIL WORKSHOP WITH COMMISSIONS & COMMITTEES

**Number:** C-15  
**Page:** 1

**Issue Number:** 2  
**Date Adopted:** June 2, 2020  
**Replaces:** January 6, 2015

### **I. PURPOSE**

To establish guidelines for a biennial workshop between City Council and Commissions and Committees to share information and updates pertaining to matters relevant to the Commissions and Committees.

### **II. BACKGROUND**

At the City Council meeting of December 2, 2014, Council directed staff to create a policy for an annual Council workshop to be held jointly with Commissions and Committees. Subsequently, the annual workshop transitioned to a biennial workshop to coincide with City Council elections.

### **III. POLICY**

Council will hold workshops once every other year with Commissions and Committees to share information and updates pertaining to matters germane to the Commission and Committees.

### **IV. PROCEDURE**

A workshop will be held biennially, at the beginning of each year following a City Council election, between the members of the City Council and Committee and Commission members. If necessary, the workshop will be held after appointments to Commissions and Committees are made.



## **POLICY: USE OF PERSONAL EMAIL OR OTHER MESSAGING ACCOUNTS AND PERSONAL ELECTRONIC DEVICES FOR CITY-RELATED MATTERS**

**Number:** C-16  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** April 4, 2017

### **I. PURPOSE**

To establish a policy prohibiting the use of personal email or other messaging accounts and/or personal electronic devices for City-related items or matters. The purpose of this policy is to help ensure that all officials and employees, whether hired, elected, or appointed, are aware that they are prohibited from working on City-related matters on private or personal email accounts or on personal electronic devices via methods that transmit information that is not stored on the City's computer server. This policy will be effective from the date of adoption until repealed by the City Council.

### **II. BACKGROUND**

Pursuant to the California Supreme Court holding in *City of San Jose v. Superior Court of Santa Clara County*, text messages, emails, and other electronic communications that deal in some substantive manner to the conduct of public business created on, stored on, and/or transmitted by personal accounts or personal electronic devices are subject to disclosure under the California Public Records Act (the "PRA").

### **III. POLICY**

All officials and employees, whether hired, elected, or appointed, of the City are PROHIBITED from using personal accounts and/or devices, via methods that transmit information that is not stored on the City's computer server, to conduct any City-related business on matters or items concerning the City.

In the event that personal accounts and/or devices are used to conduct City business, such communications shall be disclosed and produced to the City in a form substantially the same as how the communications were created, stored, and/or transmitted (e.g., a Microsoft Word document created on a personal device shall be produced to the City as a Microsoft Word document; an email sent on a personal account shall be forwarded to a government email account). If the disclosure or production to the City in the same form is impractical, a similar format may be used.

Failure to follow this policy may result in:

1. Officials and employees being required to submit communications created on, stored on, or transmitted by personal accounts or devices to the City in response to a PRA request;



## **POLICY: USE OF PERSONAL EMAIL OR OTHER MESSAGING ACCOUNTS AND PERSONAL ELECTRONIC DEVICES FOR CITY-RELATED MATTERS**

**Number:** C-16  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** April 4, 2017

2. For employees, disciplinary action up to and including termination;
3. Legal action pertaining to the withholding of City records; and
4. Any other action City determines to be adequate for violation of this policy.

### **IV. GOALS**

The policy is to provide continued transparency in the conduct of the public's business. Specific goals include:

1. Ensuring the City complies with the mandate of the PRA and the results of City of San Jose v. Superior Court of Santa Clara County, Case No. S218066 (March 2, 2017).
2. Minimizing administrative costs related to responding to PRA requests.
3. Protecting officials' and employees' constitutionally protected privacy rights while balancing the requirements of the PRA.



## POLICY: USE OF CITY WEBSITE

**Number:** C-17  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** January 16, 2018

### **I. PURPOSE**

This policy establishes guidelines for use of the City of Yorba Linda (“City”) official website, [www.yorbalindaca.gov](http://www.yorbalindaca.gov) (“website”), a public service and information source. The purpose of the City website is to educate, engage, inform, and provide timely information about City services, officials, programs, projects, and events to website visitors. The website is a supplement to, and not a replacement for, information available from City departments. The use of the City website is intended for the sole and exclusive use by the City of Yorba Linda. The City reserves the right to determine what information shall and shall not be placed on the website.

The City of Yorba Linda Website Mission is to:

- Provide access to material about City services, programs and activities, City officials and staff, government issues and local government process, and public facilities;
- Encourage community members to participate in City government;
- Offer City information in an effective and time-efficient manner; and
- Manage the links and material on the website to ensure that the City’s information is easily discernible.

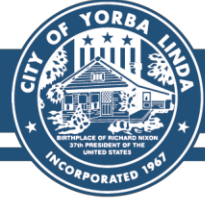
### **II. BACKGROUND**

The City website is one of the City’s most frequently accessed communication outlets. In response to industry trends, changes in technology, web content accessibility, and compliance regulations with the Americans with Disabilities Act (ADA), it is critical to provide access to relevant, timely, and accessible information via the City website. This policy establishes overall communication management for the City website, including compliance with all legal and regulatory standards, including accessibility and security issues.

### **III. POLICY**

The City website is not a public forum. It is created and maintained for exclusive use by the City in communicating information relevant to the City’s website purpose and mission; and to document the Terms and Conditions of Use that govern usage of the City’s official website.

### **IV. GUIDELINES FOR GOV INTERNET DOMAINS**

**POLICY: USE OF CITY WEBSITE**

**Number:** C-17  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** January 16, 2018

The City website is governed by “Gov Internet” program guidelines. All United States Gov Internet domains are administered and managed by the General Services Administration. As a Gov Internet registrant, the City website must comply with a number of federal guidelines to avoid domain suspension or termination. These include:

1. No Non-Government Advertisements: A Gov Internet domain may not be used to advertise for private individuals, firms, or corporations, or imply in any manner that the government endorses or favors any specific commercial product, commodity, or service.
2. No Political or Campaign Information: The Gov Internet domain is for the operation of government, not the political, political party, or campaign environment. No campaigning can be done using .gov domains. The Gov Internet domain websites may not be directly linked to or refer to websites created or operated by a campaign or any campaign entity or committee. No political sites or party names or acronyms can be used
3. Link Change Notification: When a link on a Gov Internet domain makes the user leave a Gov Internet website, a notification or screen (i.e., a splash message) should alert users that they are leaving the official Gov Internet domain page.
4. Domain Suspension: Organizations that operate websites that are not in compliance with the Gov Internet conditions of use may have their domain name suspended or experience operational issues or terminated based on the severity of the issue. There are two levels of incidents:
  - a. Critical - Content restriction on the Gov Internet Domain does not allow criminal activities or obscene images, inappropriate sexually oriented material, or extremist material to be displayed or sent to system users. This material being accessed through a Gov domain URL could result in an expedient suspension.
  - b. Administrative - Domains that have content with advertising materials, political or campaign information, substantial incorrect information, inappropriate web links (i.e. to sites that violate content policy), and incorrect redirects are not in compliance or not consistent with original intent or approved purpose.

**V. CONTENT**

All content posted to the website must meet the following standards:

1. Contains information of general interest to the public and reflects a City of Yorba Linda departmental, divisional, or program initiative, project, service, or

**POLICY: USE OF CITY WEBSITE**

**Number:** C-17  
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responsibility; or contains directional information of interest to the public such as maps and directories of services; or provides public notice of a City event; and

2. Does not include any of the following:
  - a. Profane language;
  - b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, political beliefs, gender, marital status, national origin, physical or mental disability, or sexual orientation;
  - c. Sexual content or links to sexual content;
  - d. For profits and commercial solicitations and advertisements;
  - e. Conduct or encouragement of illegal activity; or
  - f. Information that may tend to compromise the safety and security of the public.

**VI. PROGRAMMING REQUESTS**

The City Manager's Office has access to all areas of [www.yorbalindaca.gov](http://www.yorbalindaca.gov). To ensure consistent quality, the City Manager's Office will work with designated web content managers in all City departments to ensure conformance with the City's style guide, conventions, and branding. Web content managers shall refer to a separate Administrative Order for detailed information regarding policies and procedures for posting information to the official City website.

**VII. EXTERNAL WEBSITE LINKS**

The City permits the establishment of links to external websites on the City's official website solely in conformance with the purpose of the website and this policy. Links from the City's website to other sites on the Internet do not constitute an endorsement or recommendation by the City. The City is not responsible for the content, quality, or accuracy of any off-site materials referenced or linked through the City's website.

The City Manager shall maintain sole discretion over the determination of which links may be included on its website and reserves the right to remove any link at any time without cause. It is the City's policy to limit external links to:

- a. Other government agencies;
- b. Firms with franchise agreements with the City, such as for utilities, cable TV and/or internet service, waste removal and other similar companies which provide service to residents of the City under agreement with the City;





## POLICY: USE OF CITY WEBSITE

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- c. Links to corporate or company sites that provide web-based automated solutions specifically designed for use by the City and/or the public through the City website;
- d. Organizations in a direct contractual relationship with the City, that receive funding in the form of either monetary or in-kind contribution from the City to promote the economic and cultural development of the City, in areas such as commerce, dining, and arts and entertainment within the City; and
- e. The Yorba Linda Public Library website, Center Catering website, Black Gold Golf Club website, and/or any subsites that support the City or an individual Department's mission to meet the cultural, educational, and informational needs of City customers.

Any exceptions under special circumstances for use of external links require written approval from the City Manager's Office.

The City will not link to any external sites that are contrary or detrimental to the City's website mission and the City's values, image, and interests. This includes but is not limited to:

- a. Sites that advocate or promote the sale or use of tobacco, alcohol, controlled substances, firearms or weapons;
- b. Sites that contain pornography, obscenity, indecency, or other material offensive to prevailing community standards or persons of ordinary sensibilities;
- c. Sites that promote adult-oriented businesses;
- d. Sites that contain religious messages or advocate or promote religious beliefs; and
- e. Sites that advocate the agenda or position of a political party, candidate for elected office, ballot initiative, or campaign or fundraising websites of holders of or candidates for political office (whether elected or appointed).

## **VIII. LINKS TO THE CITY OF YORBA LINDA WEBSITE**

Permission is not needed to link to the City website; provided that links to the City website do not load into an existing frame and City information is not made to appear as if it is part of the linked website.

## **IX. PRIVACY**

The City of Yorba Linda utilizes automated tools to log information about each visit to its website. The information collected is used to determine site performance and identify visitor trends such as popular pages and frequently downloaded files. The City of Yorba Linda has security measures to limit access to personal

**POLICY: USE OF CITY WEBSITE**

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information submitted via its website. Any information regarding an individual that is collected will be used by the City only for the intended purpose. The City will not disclose this information to any third party, unless required to do so under federal or state law, including, but not limited to, the California Public Records Act. All requests for public records shall be handled in accordance with the provisions of Government Code §§ 6250- 6276.48 and should be submitted through the City Clerk's Office.

**X. E-MAIL, E-MAIL SUBSCRIPTION LIST, AND COMMUNICATION WITH THE CITY**

Information that allows for the personal identification of a website user contained in a communication sent to the City in an email message or in an online form submitted to the City will be used by the City to respond to the request.

The City may redirect the message to another City department or person who is in a better position to answer the question. The City website provide users the opportunity to subscribe to and unsubscribe from informational e-mailing lists. Email addresses in an email subscription list will only be used by the City to send messages related to categories of information requested by the subscriber.

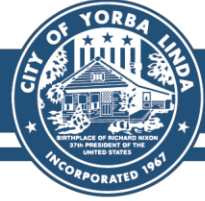
To the extent authorized by law, information from email subscription lists that allows for the personal identification of a website user shall be kept private if the individual submitting the information has indicated a wish that the information remain private. Email addresses are not, and shall not be, visible or available to other list members.

All information collected on the City's website is subject to the California Public Records Act, unless exempted by law. Any content maintained on a City website or subsite that is related to City business, including a list of subscribers, and posted communication, may be considered a public record, subject to public disclosure, and subject to the City's retention schedule.

**XI. ACCESSIBILITY**

It is the City's goal to provide maximum access for all users of the City's website. The design of the City website shall meet the standards outlined in the U.S. Section 508 accessibility guidelines and standards set forth in the City's accessibility statement.

**XII. WEBSITE TERMS OF USE AND CONDITIONS**



## POLICY: USE OF CITY WEBSITE

**Number:** C-17  
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**Date Adopted:** January 16, 2018

The City's Website Terms and Conditions of Use are to be posted on the City's official website and apply to all City website visitors and users.



## POLICY: USE OF SOCIAL MEDIA SITES

**Number:** C-18  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** January 16, 2018

### **I. PURPOSE**

This policy establishes guidelines for the use of the City of Yorba Linda (“City”) social media sites, a public service and information source.

The use of City social media sites is intended for the sole and exclusive use by the City of Yorba Linda and will serve as an additional source of information to meet the following objectives:

- Enhance awareness of City services and events;
- Communicate news and emergency information;
- Build trust through quality content; and
- Collect valuable feedback.

The City’s official website ([www.yorbalindaca.gov](http://www.yorbalindaca.gov)) will remain the organization’s primary and predominant internet presence. Information posted on City social media sites will supplement, and not replace, required notices and standard methods of communication.

### **II. BACKGROUND**

Social media fosters a culture of greater civic engagement. The City encourages the use of social media to address the rapidly-evolving landscape of the Internet, to reach a broader audience, to modernize the way residents communicate and obtain information, and to further the mission and goals of the City.

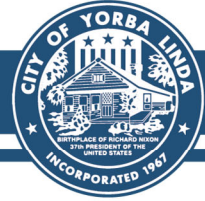
### **III. POLICY**

It shall be the policy of the City of Yorba Linda to ensure that City social media sites are created and maintained for exclusive use by the City in communicating information relevant to the City’s purpose and goals; and to document the Terms of Use that govern the usage of the City’s social media sites. The City reserves the right to determine what information shall and shall not be placed on City social media sites.

A comment posted by a member of the public on any City of Yorba Linda social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Yorba Linda.

### **IV. APPLICABILITY**

This policy applies to those who interact with the City of Yorba Linda City social media sites.



## POLICY: USE OF SOCIAL MEDIA SITES

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This policy applies to all social media sites and applications, including, but not limited to, Facebook, Twitter, Instagram, LinkedIn, NextDoor, Vimeo, and YouTube.

Certain City facilities or functions and independent contractors may be exempt from this policy at the discretion of the City Manager.

### **V. CONTENT**

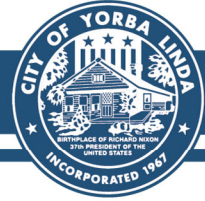
Designated staff members shall have access to post content to City social media sites. Staff shall refer to a separate Administrative Order for detailed information regarding policies and procedures for establishing and posting to an official City social media site.

City social media sites are subject to the California Public Records Act and records retention requirements as established by applicable law and City policies. Any content posted on a City social media site may be a public record subject to public disclosure.

The City Manager's Office will monitor and have access to all City social media sites to ensure consistent messages are being conveyed and that all policies are being adhered to.

All content posted to City social media sites must meet the following standards:

1. Contains information of general interest to the public and reflects a City of Yorba Linda departmental, divisional, or program initiative, service, responsibility; or contains directional information of interest to the public such as maps and directories of services; or provides public notice of a City event; and
2. Does not include any of the following:
  - Profane language;
  - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, political beliefs, gender, marital status, national origin, physical or mental disability, or sexual orientation;
  - Sexual content or links to sexual content;
  - For profits and commercial solicitations and advertisements;
  - Conduct or encouragement of illegal activity;
  - Information that may tend to compromise the safety and security of the public; or
  - Comments on topics or issues not within the jurisdictional purview of the City of Yorba Linda.

**POLICY: USE OF SOCIAL MEDIA SITES**

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**Issue Number: 1**  
**Date Adopted: January 16, 2018**

Comments or postings to the City's social media sites may be monitored. The City reserved the right at any time to remove any and all comments and content and, to the extent permitted by law, to remove comments or content in violation of its Social Media Sites Terms and Conditions of Use. Any content removed shall be retained, including time, date and identity of the user/poster when available, in accordance with the City's policy on the retention of such information.

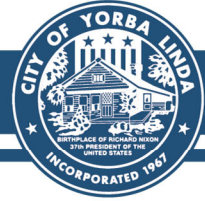
Two or more posts containing inappropriate content as outlined within this policy or posts from a spam account may result in the account being blocked from the City's social media accounts entirely. Blocking a user will be at the discretion of the City Manager in accordance with the requirements of the policy.

The City will at its discretion remove posts and all comments related thereto at regular intervals at such time as the event in the post is either past or the post has existed for ninety (90) days.

**VI. EXTERNAL LINKS AND "FOLLOWING" OF OTHER ACCOUNTS**

The City Manager shall maintain sole-discretion over the determination of external links posted to official City social media sites and sites that City social media sites "like" or "follow." It is the City's policy to limit external links and the entities either "liked" or "followed" to:

1. Other government agencies;
2. Firms with franchise agreements with the City, such as for utilities, cable TV and/or internet service, waste removal and other similar companies which provide service to residents of the City under agreement with the City;
3. Links to corporate or company sites that provide web-based automated solutions specifically designed for use by the City and/or the public through the City website;
4. Organizations in a direct contractual relationship with the City, that receive funding in the form of either monetary or in-kind contribution from the City to promote the economic and cultural development of the City, in areas such as commerce, dining, and arts and entertainment within the City;
5. The Yorba Linda Public Library website, Center Catering website, Black Gold Golf Club website, Yorba Linda Community Center website, and links that support the City or an individual Department's mission to meet the cultural, educational, and informational needs of followers;
6. The City may wish to "like," "follow," or highlight local businesses or community entities as part of any City program or co-sponsored event; and

**POLICY: USE OF SOCIAL MEDIA SITES**

**Number: C-18**  
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**Date Adopted: January 16, 2018**

7. The City may wish to highlight or promote new Yorba Linda businesses as part of the City's Economic Development program.

**VII. ACCESSIBILITY**

It is the City's goal to provide maximum access for all users of the City's social media sites. Posts to City social media sites shall meet the standards outlined in the U.S. Section 508 accessibility guidelines and standards set forth in the City's accessibility statement.

**VIII. CONDUCT OF ELECTED AND APPOINTED OFFICIALS ON SOCIAL MEDIA SITES**

For the purpose of this policy, the term "elected and appointed official" refers to any member of the City Council or a City Commission. While all City staff members will be held to the standard of this policy, there are some legal considerations specific to elected and appointed officials, including the Brown Act. This section of the policy provides guidance in this area. An internal Administrative Order provides additional guidelines for staff conduct on social media.

1. Interaction with City Sites

- a. Officials interacting with any of the City's social media sites must comply with applicable federal, state, and local laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, the Public Records Act, First Amendment, and privacy laws.
- b. Officials shall use caution in responding to any published posts on City social media sites, or using the City social media sites to discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the Council, Commission, board, or committee, as such responses may create a meeting in violation of the Brown Act.
- c. City staff will not set-up or administer a City-run social media account for an elected official.

2. Use of Personal and Professional Social Media Profiles or Pages

- a. Officials are representatives of the City and should conduct all communications on social media in a professional manner. Conduct on social media sites shall meet the standards of City Council Policy A-23: Code of Conduct for Elected and Appointed Officials.
-

**POLICY: USE OF SOCIAL MEDIA SITES**

**Number:** C-18  
**Page:** 5

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- b. Officials who choose to have a social media page or profile that identifies their office, must include the verbiage “Content on this site does not represent any official position of the City of Yorba Linda, only that of (NAME) in (HIS/HER) personal capacity.”
- c. Officials shall be prohibited from using their City email address or password in conjunction with a personal or professional social media profile or page.
- d. Officials shall use caution in using personal or professional social media profiles or pages to discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the City Council or any commission, board, or committee of the City, as such responses may create a “meeting” in violation of the Brown Act or result in disqualification based on prejudgment of issued to be determined by due process.
- e. Should an official comment on a third-party’s social media page in their capacity as an official, they should state that their comment is their personal opinion and not the opinion of the City of Yorba Linda unless it reflects the official position of the City.

**IX. SOCIAL MEDIA SITES TERMS OF USE**

A link to the City’s social media sites Terms of Use set forth in this policy shall be posted on all City social media sites.

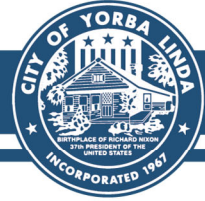
**X. DEFINITIONS**

**Social media sites:** Websites, applications, and other interactive web platforms, which allow the creation and exchange of user-generated content through accessible communication technologies. Examples include Facebook, Twitter, LinkedIn, NextDoor, Instagram, YouTube, Vimeo, and Pinterest.

**City social media sites:** City social media sites are webpages which the City establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors, or partners.

**City Official:** For the purpose of this policy, an all-inclusive term for any member of the City Council or a City Commission. All City staff members will also be held to the standard of this policy, as well as an internal Administrative Order.





## POLICY: USE OF SOCIAL MEDIA SITES

**Number:** C-18  
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**Date Adopted:** January 16, 2018

**Administrator(s):** Authorized user(s) who manage the content on the City social media sites as well as receive content posted to the site by the public.

**Post:** All-inclusive term to describe a message, announcement, picture, video, or any other form of communication posted on City social media sites.

**Comment:** response to City social media site submitted by the public.

**Tagging:** Identification of an individual or organization's profile or page in a post or photo that links the post or photo to the individual or organization's profile or page.

**Sharing:** The practice of sharing content from a website or another individual or organization's social media site on a social media site.

**Follower:** An individual or agency who "likes" or follows any City social media page.

**Community partners:** Other agencies with whom the City partners for community events, programs, and/or services (ex. Placentia-Yorba Linda Unified School District, Yorba Linda Water District).



## POLICY: USE OF STATE WARRANT SYSTEM FOR TRAFFIC EVALUATION

Number: E-1  
Page: 1

Issue Number: 3  
Date Adopted: June 2, 2020  
Replaces: July 15, 2003

### **I. PURPOSE**

To establish a criterion by which traffic control devices are installed. The City Council has had a long-standing policy wherein prior to the installation of traffic control striping, signs, signals and other traffic control devices, that they must meet the State of California warranting criteria.

### **II. BACKGROUND**

In order to minimize local government liability exposure resulting from the installation of traffic control devices such as stop signs and traffic signals, the state of California has established guidelines for evaluating the need for such devices. These guidelines, commonly referred to as warrants, provide City officials with traffic volume, accident and pedestrian thresholds which must be met. Using these warrants to evaluate traffic conditions in Yorba Linda, the City can achieve both the greatest public acceptance of traffic control devices and the lowest possible City liability exposure.

### **III. POLICY**

Prior to the installation of any traffic control device, the Engineering Department will verify that the appropriate State warrants are met.

### **IV. PROCEDURE**

Following the receipt of a request from a citizen, City Council or City staff to install a traffic control device, the Public Works Department shall conduct warrant studies in accordance with the California Manual on the Uniform Traffic Control Devices (MUTCD). Installation of such traffic control device shall only be considered if warrants are met.



## POLICY: VOLUNTARY DEDICATION OF STORM DRAIN EASEMENTS

Number: E-2  
Page: 1

Issue Number: 3  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To reduce overall project costs in order to maximize the construction of master planned storm drain facilities within funding limits.

### **II. BACKGROUND**

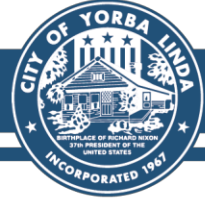
Normally when a public agency acquires public easements, the property owner is compensated commensurate with the appraised value of the easement. Since a master planned storm drain improvement, coupled with the City's effort to reduce overall project costs, is considered a substantial betterment to the property owner, a requirement for voluntary dedications of storm drain easements has been the City's practice since 1975.

### **III. POLICY**

That all storm drain easements shall be obtained by voluntary dedication with the exception that the City will pay for restoring the property to its pre-project condition.

### **IV. PROCEDURE**

The Public Works Department will inform all property owners of the City's policy relating to storm drain easements during the acquisition process.

**POLICY: CITY TREE REMOVAL AND REPLACEMENT**

**Number:** E-3  
**Page:** 1

**Issue Number:** 4  
**Date Adopted:** June 2, 2020  
**Replaces:** April 7, 2015

**I. PURPOSE**

The purpose of this policy is to mitigate tree loss and the reduction of the urban forest within the City.

**II. BACKGROUND**

Protection of the City's urban forest is important. However, sometimes it is necessary to remove trees due to wind damage, poor tree structure, or diseases. They are also removed to mitigate hazards or conflicts with City improvements or infrastructure. This Policy outlines both tree container sizes and quantities that are appropriate for replacement when trees are removed. Convenience removals are also covered in this Policy.

**Risk Management Removals**

Pursuant to Yorba Linda Municipal Code Section 16.08, the City Council finds that the regulation of tree removal will aid in beautification of the City; encourage sound development and raise property values; and promote the health, safety, prosperity and general welfare of the residents and property owners. Unfortunately, in order to mitigate risk, sometimes trees are removed because of their condition with respect to disease, general tree health, and poor structure.

**Convenience Removals**

In order to address requests from the community for removal of trees not related to the above risk management issues, this Policy also outlines removal criteria and the required tree container sizes and quantities for replacement. These requests for tree removals are typically based on a desire of the property owner. Approval for tree removals not associated with risk management issues will be at the sole discretion of the City. Reasons for approving tree removal requests for convenience may be debris reduction, view enhancement, and reduction of excessive shade projections. Because many factors must be considered when approving tree removal requests, the above list of reasons are not a guarantee that tree removal requests will be approved. Requests for convenience removals shall be for trees in the care of the City on applicant's property or immediate adjacent rights-of-way only, or otherwise approved by the City Engineer.

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**POLICY: CITY TREE REMOVAL AND REPLACEMENT**

**Number:** E-3  
**Page:** 2

**Issue Number:** 4  
**Date Adopted:** June 2, 2020  
**Replaces:** April 7, 2015

**III. POLICY**

1. Upon tree loss or removal due to Risk Management issues, the Public Works Department or Parks and Recreation Department will implement a tree replacement program, using a City-procured contractor and under the inspection of City staff, as follows:

Slopes, greenbelts, and parkway areas

- Large trees: Plant up to 3, 15-gallon to 24" box size replacements
- Medium trees: Plant up to 2, 15-gallon to 24" box size replacements
- Small trees: Plant 1, 15-gallon to 24" box size

Street and Parkway Trees

Street and parkway trees shall be replaced on a one-for-one basis with 15-gallon size stock. In the event that larger tree container sizes are warranted, exceptions to the above guidelines will be considered on a case-by-case basis.

2. Upon approval by the City of a tree removal for Convenience related issues, the Public Works Department or Parks and Recreation Department will implement a tree replacement program, using a City-procured contractor funded solely by the Applicant requesting the tree removal and under the inspection of City staff, as follows:

Slopes, greenbelts, and parkway areas

- Large trees: Plant up to 3, min. 24" box size replacements
- Medium trees: Plant up to 2, min. 24" box size replacements
- Small trees: Plant 1, 24" to 36" box size replacements

In a 1:1 tree replacement scenario, consideration will be given to requiring a minimum of a 36" box size replacement, where the topography allows. On slope areas, 15-gallon size stock may be substituted in greater quantities.

As part of the application for a tree removal for convenience issues, notification will be required to adjacent property owners of the request for tree removal. The City shall designate which adjacent properties are to be notified and will make the notification.



## POLICY: CITY TREE REMOVAL AND REPLACEMENT

**Number:** E-3  
**Page:** 3

**Issue Number:** 4  
**Date Adopted:** June 2, 2020  
**Replaces:** April 7, 2015

### 3. Other Requirements

- Locations determined by the City to receive new trees may include the location of the removed tree and/or other locations within the immediate area or LMAD Zone. The determination of the City-selected locations and replacement ratio shall consider the following criteria:
  - Physical space available for replanting of trees
  - Number of healthy trees remaining in the immediate area
  - Community Design Guidelines
- In the case of a request for multiple tree removals on/adjacent to a property, no greater than one-third of the existing trees on/adjacent to the subject property may be removed within a 5-year period.

## **IV. PROCEDURE**

For Risk Management removals, implement the necessary tree replacements in accordance with this City Council Policy E-3.

For Convenience removals, following the receipt of a request to remove a tree in the care of the City or LMAD, the Public Works Department/LMAD or the Parks and Recreation Department shall review the existing conditions and if the removal request is approved, implement the necessary tree replacements in accordance with this City Council Policy E-3. Applicants shall fill out and pay for an encroachment permit if the request is approved. The City Manager will retain the final determination on which trees will be removed, the amount of replacement trees, and the location of replants.

**POLICY: ELECTRICAL POWER INTERRUPTIONS**

**Number:** E-4  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** June 5, 2001

**I. PURPOSE**

To establish guidelines and procedures to be implemented at intersections controlled by traffic signals during a Southern California Edison Company (SCE) power interruption (Rolling Blackout).

**II. BACKGROUND**

Traffic signals are electrically powered traffic control devices. Interruption of the electrical power supply to the traffic signals results in the visual loss of all green, yellow, red and pedestrian signal indications. As SCE may temporarily terminate the electrical power supply to specific geographic areas including areas of Yorba Linda, resultant of an electrical energy shortage, it is necessary to establish a policy and procedure to address inoperable traffic and pedestrian crossing signals.

**III. POLICY**

In the event that an area in the City or the City in total experiences a SCE-induced power interruption, it should be the City's policy that:

- A. The provisions of the State of California Vehicle Code (CVC) should take precedence as specified in CVC Section 21800 (d):
  - 1. The driver approaching an intersection which has inoperative traffic control should STOP at the intersection and proceed with caution when it is safe to do so.
  - 2. When two vehicles simultaneously approach an arterial highway and the traffic control device is inoperative, the driver on the left should yield to the driver on the right.
- B. If a power interruption occurs during a school day, the Police Department should immediately dispatch officers or other personnel to assist Adult Crossing Guards assigned to arterial street crossing locations. The Police assistance should only occur during the time periods that the Adult Crossing Guards are normally on duty at the intersection.

**IV. GOALS**

The provisions of the CVC and to provide Police assistance at Arterial intersections with crossing guards shall be the procedural policy of the City of Yorba Linda.

**POLICY: ENCROACHMENTS AND USES WITHIN CITY EASEMENTS**

Number: E-5  
Page: 1

Issue Number: 3  
Date Adopted: June 2, 2020  
Replaces: July 5, 2016

**I. PURPOSE**

To establish City guidelines and procedures for issuing permits for encroachments within City easements; to establish guidelines by which permits for encroachments within City easements may or may not be considered; and to identify the difference between a request for an encroachment permit as compared to a request for a vacation of a City easement. Encroachments include development, construction on, or use of City easements and public right-of-way.

**II. BACKGROUND**

The City holds easement rights over properties citywide for various defined uses. Where easements have been granted to the City, the fee title to the property is owned by the underlying property owner. However, the rights of the property owner are subject to the rights that the City possesses pursuant to the City's easement.

There are five typical types of easements held by the City:

- 1) Right-of-way easements are typically for street purposes that allow for utilities and transportation purposes, such as a roadways, trails, sidewalks, and pedestrian paths.
- 2) Access easements allow the City to ingress and egress through private property to service, maintain, or monitor a City facility within or beyond the property.
- 3) Underground structure/utility easements are typically located over a City-owned buried structure or utility (*i.e.*, a storm drain or other City-owned infrastructure), and generally restrict the type of use on the land above the infrastructure to protect it from damage and to allow access should the infrastructure need to be excavated and repaired.
- 4) Drainage easements allow for the conveyance of storm-water runoff over the encumbered property and restrict the type of use and improvements on the land to ensure proper conveyance of the established drainage.
- 5) Maintenance easements restrict the use of the land within the easement area and allow the City control of the land surface. The City uses maintenance easements throughout the City to maintain landscape areas and trails for public benefit and enjoyment.

The City frequently receives requests from property owners to allow for specific uses or construction within the limits of City easements. For requests that primarily seek private use of a City easement, such requests more appropriately should be processed as a vacation of the City's easement to reflect the private nature of the proposed use. Therefore, this policy distinguishes between those requests that are appropriately



**POLICY: ENCROACHMENTS AND USES WITHIN CITY EASEMENTS**

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encroachment permits and those requests that should be processed as easement vacations. Access, underground structure/utility, and drainage or other similar related easements should not be vacated due to public safety reasons.

**III. POLICY**

The City, in accordance with California and federal law, has property rights as an easement holder. Property owners and easement holders shall retain all rights granted to each under the law. The intent of this policy is to clarify basic requirements to be implemented in regard to encroachments within City easements to ensure proper safety and protection of the public, public property, and public infrastructure. The City will apply the following restrictions and exceptions to the use of land within City easements.

As the owner of the City easements, the City will apply the following restrictions and exceptions to the use of land within City easements. Because there is an element of public safety to some easements, any existing unauthorized encroachments into access, drainage, or underground structure/utility easements (or similar public safety related easements) that interfere with the proper use of the easement shall be removed within 30 days of receiving written notice by the City unless specifically authorized in this Policy. Existing unauthorized encroachments within access, drainage, or underground structure/utility easements (or similar public safety related easements) may remain only by City Council approval.

**Right of Way Easements:** Obstruction of right of way easements is prohibited. Private improvements are not permitted within right of way easements that inhibit the use of utilities, trails, sidewalks, pathways, and roadways. At the discretion of the City Engineer, the City may permit an exception to allow private landscaping and minor hardscapes within parkways. Private landscaping and improvements are not permitted in landscaped areas that are maintained by the City.

**Access Easements:** Obstruction of access easements is prohibited. Stored vehicles or materials shall not be placed within an access easement area. Trees or other objects are not permitted to interfere with the free and clear access within the easement limits. At the discretion of the City Engineer, the City may permit an exception to allow a gate across the access easement. However, any permitted gate must remain unlocked by the permittee at all times or locked with a City-owned padlock. No electronic operated gates will be allowed.

**Drainage Easements:** Obstruction of drainage easements is prohibited. Trees, walls, structures, and intrusive hardscape are prohibited within the easement area. The easement area may not be used for storage. At the discretion of the City Engineer, the City may permit an exception to allow a gate or fence perpendicularly across the drainage

**POLICY: ENCROACHMENTS AND USES WITHIN CITY EASEMENTS**

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easement. However, any permitted gate must remain unlocked by the permittee at all times or locked with a City-owned padlock and allow for the proper conveyance of storm-water runoff.

**Underground Structure/Utility Easements:** Trees, walls, structures, and intrusive hardscape are prohibited within the easement area. At the discretion of the City Engineer, the City may permit gates to be constructed perpendicularly across to the easement. Any accessory items or uses within the easement must be easily moveable, as determined by the City Engineer. The easement area may be used for storage, but items must be removed immediately upon City request to allow access to the underground infrastructure. The City will not be responsible for reconstruction or repair of private improvements constructed within the easement area.

**Maintenance Easements:** Encroachments, including privately owned, fixed or permanent structures, into the easement area are prohibited unless specifically allowed as outlined in the sections below.

#### **IV. PROCEDURES**

Requests for authorization to encroach within the limits of City easements may be issued under the following guidelines:

A. Temporary Encroachment

The City Manager or his designee may issue an encroachment permit with conditions for the construction of temporary improvements that encroach onto City easements. The term of the encroachment permit issued under this policy may not exceed one (1) year. Such improvements shall be able to be removed quickly and easily within ten (10) calendar days of notice to remove such items from the City. Encroachment permits for temporary improvements may be renewed for up to five one-year periods at the discretion of the City Manager or his designee. The following conditions apply to Encroachment Permits for temporary improvements:

- Proposed temporary improvements shall not alter the nature or design of a City maintained easement area, which is visible to passersby and which will change the intent and/or design of the community as it was originally approved by the Planning Commission and/or the City Council.
- Proposed temporary improvements must meet the requirements of the current Yorba Linda Municipal Code and Building and Safety Codes and may require the issuance of a building permit. Proposed temporary improvements shall not violate any land use regulations or be detrimental to the City's property interest.

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- The design, placement, and construction of any temporary improvement is subject to the approval of the City Manager or his designee. The City may revoke a permit if, in the judgment of the City Manager or his designee, such revocation is in the public interest. Any decision to revoke an encroachment permit may be appealed to the City Council following the appeal process as outlined in the Yorba Linda Municipal Code Article IX of the Zoning Ordinance. Written notice of the appeal for an encroachment permit is required within 10 calendar days of notice of revocation.

**B. Permanent Encroachment**

Fixed, permanent structures or permanent improvements encroaching upon City easements are not allowed, except in those instances where there is “no significant impact” on the City easement involved, and/or where it is not practical to formally vacate such easement. The term “no significant impact” means an encroachment of one foot or less onto a City easement, and which does not deprive the public from the normal use and enjoyment of the remaining easement or adversely impact the purpose of the easement. For example, if a property owner accidentally builds a wall/fence that encroaches a few inches onto the City easement, it may be considered to be within a tolerable level where no Planning Commission or City Council action is required.

Requests for permanent improvements that exceeds these standards (i.e. one foot) shall be deemed a request for a vacation of the easement and shall be subject to the vacation hearing process. However, due to their public safety connection, access, underground structure/Utility, and drainage easements or similar safety related easements should not be vacated. Requests for encroachments onto access, underground structure/Utility, and drainage easements or other similar safety related easements for privately owned, fixed or permanent structure require a City Council determination/finding that the proposed permanent improvements will not adversely impact the City’s easement or general public safety and the property owner may be required to execute a Declaration of Restrictive Covenants (DORC).

**C. Encroachments Requiring Vacation of City Easement**

**Existing Fence Encroachments on City Maintenance Easements**

Existing fences encroaching into City landscape easements that were authorized pursuant to a City encroachment permit and were constructed prior to July 15, 2003, will be allowed to remain subject to the following:

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- The easement area encompassed by the fence will be vacated by the City, at the City's expense, including landscape and irrigation modifications. If the underlying property owner does not want the encompassed area to be vacated, the fence shall be relocated outside the City's easement area by the property owner within thirty (30) calendar days of receiving such notice.
- Any unpermitted accessory structures or improvements in the prior easement area shall require a Design Review through the Planning Commission.

Existing unauthorized encroachments without permits will be allowed to remain subject to the following:

- The easement area encompassed by the fence will be vacated by the City, with all costs of the vacation process, including landscape and irrigation modification, being borne by the property owner. If the underlying property owner does not want to vacate the encompassed easement area, the unauthorized encroachment shall be removed within thirty (30) calendar days of receiving a notice from the City.
- Any unpermitted accessory structures or improvements in the prior easement area shall require a Design Review approval through the Planning Commission.
- Compliance with the "General Fence Relocation Guidelines".

Each case will be evaluated individually, and the City Manager or his designee shall take into account unique circumstances when applying this Policy. At the discretion of the City Manager or his designee, the property owner may be required to execute a Declaration of Restrictive Covenants for the prior easement area.

**Proposed New Fence Encroachments on City Maintenance Easements**

Proposed fence encroachments into City maintenance easements may be allowed subject to the following:

- Upon approval by the Planning Commission as part of a Design Review process including any proposed accessory structures or improvements in the easement area. Each case will be evaluated individually, and the Planning Commission shall take into account unique circumstances when applying this Policy. At the discretion of the Planning Commission, the property owner may be required to execute a Declaration of Restrictive Covenants (DORC) for the prior easement area.

**POLICY: ENCROACHMENTS AND USES WITHIN CITY EASEMENTS**

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- Adjacent and/or affected neighboring properties shall be notified of the request prior to the Planning Commission review. The easement area encompassed by the fence will be vacated by the City, with all costs of the vacation process, including landscape and irrigation modifications shall be borne by the property owner.
- The proposed fence shall be installed at a distance from the top of slope equal to any adjacent existing fence or as approved by the Planning Commission. However, unless there is a consistent fence line either adjacent to the property or along a majority of the slope, the City would not grant encroachments greater than 18 feet from the top of slope.
- The establishment and maintenance of the fence and landscaping within the fenced area shall be consistent with the "General Fence Relocation Guidelines" as determined by the Planning Commission.

**D. Other Implementation Procedures**

The City Manager or his designee may develop any other rules, regulations, or procedures that may be necessary for the effective implementation of this policy. Such regulations and procedures may incorporate (but are not limited to) provisions relating to insurance, indemnification, maintenance, notice, permit form, appeal process, etc.

**E. Appeal Process**

Any decision related to the land use within a City easement may be appealed in writing to the City. Public Works staff shall review the proposed appeal and forward the request for encroachment authorization to the City Manager. The final determination for encroachment authorization may ultimately be made by the City Council.

**POLICY: ENCROACHMENTS AND USES WITHIN CITY EASEMENTS**

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**Issue Number: 3**  
**Date Adopted: June 2, 2020**  
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**GENERAL FENCE RELOCATION GUIDELINES**

1. Each homeowner will be responsible for their own fencing costs and any other costs associated with fence relocation, including any damage to plants or sprinklers resulting from the fence relocation, and all costs incurred in the easement vacation process.
  2. The homeowner may need to obtain a permit for the fence from the City of Yorba Linda Building Department.
  3. All fence irrigation and landscape plans are subject to Planning Commission review and approval.
  4. The fence shall be painted Hunter Green and remain maintained in good condition with minimal fading, rust, or corrosion visible from the street below at any time.
  5. The irrigation system within the easement vacation area shall be installed and maintained by the property owner with a water source connected to the property owner's water meter.
  6. Trees, shrubs, and ground cover planting shall match the adjacent city-maintained trees, shrubs, and ground cover plant pallet.
  7. Subject area shall remain at the existing grades prior to the easement vacation and shall not be modified in any way.
  8. No new tree(s), shrub(s) or ground cover shall be planted within the subject area unless replacing existing naturally damaged or diseased tree(s) or shrub(s) or ground cover in kind and number.
  9. Area shall not be used as an animal kennel or holding area.
  10. Maintenance of fences, irrigation systems, trees, shrubs, and ground cover shall match, at a minimum, the standard of care provided by the City for the landscaped area adjacent to the easement vacation area.
  11. Fence location shall be parallel to the top of slope at the limit of the easement vacation.
-

**POLICY: STANDARDS FOR STREET LIGHTING FIXTURE**

**Number:** E-6  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** February 18, 1992

**I. PURPOSE**

To accent the difference between residential neighborhoods and major thoroughfares through the use of lower, less intense street lighting standards on residential streets.

**II. BACKGROUND**

The City of Yorba Linda uses the Southern California Edison Company (SCE) as an electrical supplier for its street lighting system. SCE offers a variety of street lighting fixtures and standards. Most cities select the familiar "cobra" style street lighting poles which are 30 to 35 feet in height. In an effort to maintain and enhance its low density bedroom community image, the City has selected a lower (16-17 foot) "mushroom" style light standard for all residential neighborhoods. The "cobra" style standard is used on all collectors and major arterial streets where a greater lighting intensity is needed.

**III. POLICY**

Street lighting fixtures in the City of Yorba Linda shall conform to one of the following standards types:

1. All local residential streets shall use the SCE "mushroom" style 16 foot high standard.
2. All arterials and major collectors shall use the 30 foot high "cobra" standard.

**IV. PROCEDURE**

The Public Works Department is responsible for implementing this policy on all improvement plans.



**POLICY: CONTRACT CHANGE ORDERS AND AMENDMENTS TO AGREEMENTS**

Number: F-1  
Page: 1

Issue Number: 2  
Date Adopted: March 7, 2017  
Replaces: February 18, 1992

**I. PURPOSE**

To establish procedures for the approval of change orders incurred during the completion of construction contracts and necessary amendments to agreements for professional or general services

**II. BACKGROUND**

On September 17, 1991, the City Council instituted a \$25,000 change order limit. On February 18, 1992, the City Council approved the original version of this Policy to further refine the limitations imposed on the issuance of change orders.

**III. POLICY**

Appropriate approval of change orders and amendments is required prior to City staff granting authorization to a contractor or consultant to commence additional work. Throughout the remainder of this Policy, the term “contract” shall be understood to include both construction contracts and agreements for professional and general services, and the term “change order” shall be understood to include both change orders to construction contracts and amendments to agreements. The term “public project” is defined in Section 22002(c) of the California Uniform Construction Cost Accounting Act, as that Section may be amended from time to time, as construction, reconstruction, erection, alteration, renovation, improvement, demolition, painting, repainting, or other repair work. The term “non-public project” shall mean all other types of procurement, which include but are not limited to, professional and general services, maintenance work, and the purchase of supplies, vehicles, & equipment.

**IV. PROGRAMMING CATEGORIES**

The following procedures shall be observed:

**1. Public Project**

- A. Contracts greater than \$2,000,000 – Change order authority on a project-specific basis must be specifically delegated by the City Council at the time that the contract is awarded.





## **POLICY: CONTRACT CHANGE ORDERS AND AMENDMENTS TO AGREEMENTS**

**Number:** F-1  
**Page:** 2

**Issue Number:** 2  
**Date Adopted:** March 7, 2017  
**Replaces:** February 18, 1992

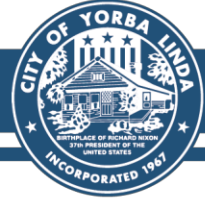
- B. Contracts greater than \$175,000 but less than or equal to \$2,000,000 – When approval of a change order will result in the total of all change orders exceeding 15 percent of the original contract amount, City Council approval is required.
- C. Contracts of \$175,000 or less – When approval of a change order will result in the total contract amount exceeding \$175,000, City Council approval is required.

### **2. Non-Public Projects**

- A. Contracts greater than \$75,000 – When approval of a change order will result in the total of all change orders exceeding 15 percent of the original contract amount, City Council approval is required.
- B. Contracts of \$75,000 or less – When approval of a change order will result in the total contract amount exceeding \$75,000, City Council approval is required.

### **3. Exceptions – The following exceptions apply to this policy:**

- A. In the case of 1) an emergency change order that affects the safety of others or 2) any change order that would, by any process or procedure above, prolong a project and cause undue hardship in the form of increased cost of materials or equipment standby time, the City Manager may approve the change order in lieu of the City Council. A staff report shall be placed on the City Council agenda at the earliest possible date following approval of the change order that seeks retroactive approval for the change order and documents the reasons for the approval by the City Manager in lieu of the City Council. This exception applies to change orders to public projects only.
- B. The City Manager may approve a single change order of \$5,000 or less at the conclusion of a project that would otherwise need to be approved by the City Council under the terms of this Policy.

**POLICY: BUDGET RESERVES**

Number: F-3  
Page: 1

Issue Number: 3  
Date Adopted: October 4, 2016  
Replaces: February 15, 2000

**I. PURPOSE**

To 1) provide a framework through which City staff may make recommendations for the allocation of resources to various categories of budget reserves through the budget process and 2) provide guidelines under which these reserves may be utilized with the approval of the City Council.

**II. BACKGROUND**

Maintenance of sufficient budge reserves is a central component of sound financial management practices. These reserves are designed to fund future liabilities, capital projects and capital purchases; assist in maintaining stable service levels in times of declining revenues and/or unanticipated operating expenditures; and facilitate the continuation of services in the event of natural disasters or fiscal emergencies.

The City of Yorba Linda adopts an operating budget every two years that allocates resources to City departments for the provision of services to the public. To determine the amount of funds available for City Council appropriation, City management reviews projected revenues along with reserve balances available from previous fiscal years. Proposed expenditures are then matched against these available resources. When expenditures exceed revenues, reserve usage will likely be required to maintain service levels. When revenues exceed expenditures, the surplus funds are added to reserves absent additional appropriations. In addition, the City has periodic and known capital needs that include facilities, equipment, vehicle, and infrastructure replacement. This policy's goal is to ensure that sufficient reserve levels are maintained to address these anticipated needs, as well as unanticipated needs that may arise on an infrequent basis.

**III. POLICY**

1. **General Fund Operating Reserve:** It shall be the policy of the City of Yorba Linda to maintain a designated General Fund operating reserve equal to 50% of General Fund budget appropriations, excluding interfund transfers. This reserve is to be further broken down as follows:
  - A. An emergency reserve of 40% - This reserve account is established for the purpose of addressing any extremely unusual and infrequent occurrences, such as a major natural disaster or a major unforeseen legal settlement or judgment. Utilization of the emergency reserve requires declaration of an

**POLICY: BUDGET RESERVES**

**Number:** F-3  
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**Date Adopted:** October 4, 2016  
**Replaces:** February 15, 2000

emergency by a majority of the City Council. Staff must present a plan to the City Council following the termination of the emergency to return the Emergency Reserve to the 40% minimum level as quickly as is practicable given the unique nature of each emergency.

- B. An economic contingency reserve of 10% - This reserve account is established for the purpose of providing a "bridge" to facilitate a measured and thoughtful reduction in expenditures during times of economic downturn. Utilization of the economic contingency reserve requires approval by a majority of the City Council. Once the City Council determines that the economic downturn has ended and the City's financial condition is improving, staff must present a plan to the City Council to return the economic contingency reserve to the 10% minimum level over no more than a five year period.

If at any time the General Fund operating reserve exceeds 60% of General Fund budget appropriations, staff must present a plan to the City Council to utilize the excess funds while maintaining the balance above the 50% minimum balance required by this policy. These uses could include tier 2 capital projects, vehicle or equipment purchases, or other expenditures of a one-time nature. If at any time an action of the City Council for reasons other than those described above would reduce the General Fund operating reserve balance below the 50% level required by this policy, staff must include an allocation to reserves in the following two-year budget sufficient to restore the reserve balance to the 50% minimum balance required by this policy.

2. **General Fund Special Reserves:** It shall be the policy of the City of Yorba Linda to establish General Fund special reserves to provide funding for future anticipated liabilities and capital needs. These reserves shall be segregated into the following five accounts:
- A. Risk Management Reserve – This reserve account is established to fund anticipated liabilities associated with liability, workers compensation, and unemployment claims against the City.
  - B. Employee Benefits Reserve – This reserve account is established to fund anticipated liabilities associated with accrued employee leave liabilities, as well as unfunded pension or other post-employment benefits (OPEB) liabilities.
  - C. City Facilities Reserve – This reserve account is established to fund the cost of replacing city buildings and park facilities.
  - D. Vehicles and Equipment Reserve – This reserve account is established to fund the cost of replacing General Fund-funded city vehicles and major equipment.

**POLICY: BUDGET RESERVES**

**Number:** F-3  
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- E. Infrastructure Reserve – This reserve account is established to fund the cost of replacing city infrastructure such as roads, sidewalks, and storm drains. These funds are in addition to dedicated non-General Fund revenue streams and competitive grants that also fund these types of projects.

General Fund special reserves should be funded at a level sufficient to address anticipated requirements over a projected period of 30 years, subject to availability of funds and prioritization of funding between the five categories of special reserves by the City Council. As a part of each two-year budget presented to the City Council, staff must present updated projected funding requirements for the five categories of special reserves and recommendations for their continued funding.

3. **Budget Reserves for Other City Funds:** It shall be the policy of the City of Yorba Linda to establish budget reserves in the following funds:
- A. Landscape Maintenance Assessment District (LMAD) Fund
  - B. Library Fund
  - C. Golf Course Fund
  - D. Other funds as deemed appropriate by staff

The amount of these reserves will be established based on the current and anticipated liabilities and capital needs of each fund and may be revised by staff based upon professional judgment and current conditions. In general, reserves should be targeted to address known liabilities as well as capital needs over a 30 year planning period.

**IV. PROCEDURES**

At the conclusion of each fiscal year and at each fiscal year's mid-year budget update, the General Fund reserve levels shall be reviewed by staff and detailed to the City Council. The City Manager shall make recommendations for additions to or disbursements from the reserve funds consistent with this policy.

**POLICY: SUPPLEMENTAL BUDGET AND LINE ITEM TRANSFERS**

Number: F-4  
Page: 1

Issue Number: 2  
Date Adopted: October 16, 2018  
Replaces: February 15, 2000

**I. PURPOSE**

To establish guidelines for the modification of the adopted expenditure budget between formal budget review cycles.

**II. BACKGROUND**

From time to time, the City's operating and capital improvement budgets require modification. Reasons for these modifications include the refinement of contract service costs and events that were unanticipated when the budget was adopted. Typically, these events do not coincide with the formal budget review cycle and are considered to be routine operational expenses.

**III. POLICY**

It shall be the policy of the City of Yorba Linda to allow the modification of the adopted budget between formal budget review cycles.

**IV. PROCEDURES**

The City Manager and Department Directors are responsible for managing the budgets within the cost centers under their span of control. However, when an event occurs that requires the movement of budget within a cost center, between cost centers or Funds, or the appropriation of additional budget, the following procedures shall be followed:

1. Supplemental budget appropriations up to \$25,000 may be approved by the City Manager. Those over \$25,000 require the approval of the City Council.
2. Line item transfers of any amount may be approved by the City Manager, other than those that transfer budget between Departments and/or Funds. Any line item transfer moving budget between Departments and/or Funds requires the approval of the City Council.
3. The Finance Director may approve supplemental budget appropriations and line item transfers that are necessary for accounting purposes but have no impact on net program expenditures (e.g. creation of new cost centers and/or funds for accounting purposes).



## POLICY: SUPPLEMENTAL BUDGET AND LINE ITEM TRANSFERS

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**Issue Number:** 2  
**Date Adopted:** October 16, 2018  
**Replaces:** February 15, 2000

4. Year-to-date line item transfers and supplemental budget appropriations shall be reported to the City Council quarterly as part of the Quarterly Budget Update report. This report shall include the amount of the transfer, origin and destination account numbers and descriptions, and the authority under which the transfer was made (e.g. City Council, City Manager, or Finance Director).

**POLICY: DELINQUENT ACCOUNTS RECEIVABLE AND RETURNED CHECKS**

**Number:** F-5  
**Page:** 1

**Issue Number:** 3  
**Date Adopted:** June 2, 2020  
**Replaces:** December 16, 2003

**I. PURPOSE**

To provide authorization for the management of delinquent accounts receivable and returned checks, the utilization of the courts to obtain a judgment for certain items, and the referral of certain items to a collection agency.

**II. BACKGROUND**

On occasion, after all reasonable staff effort is expended, certain accounts receivable and returned checks due to the City of Yorba Linda are deemed to be delinquent with the possibility of collection doubtful. There are also limited situations where delinquent accounts or returned checks are of such a small size that more money would be expended to pursue collection of the debt than the amount of the debt itself.

The City's Finance Director is in a position and has the financial background to thoroughly evaluate the feasibility of collecting past due accounts and returned checks and to make a decision, on a case by case basis, as to appropriate further collection efforts, if any.

**III. POLICY**

It shall be the policy of the City of Yorba Linda to authorize the Finance Director to write-off delinquent accounts receivable not to exceed \$25,000 per transaction once reasonable in-house collection efforts have been pursued and any related court judgment has been received. Delinquent debts to the City for which an agreement is in place shall be referred to a collection agency and written off. Delinquent debts to the City for which no agreement is in place shall be pursued either in small claims court or superior court, depending on the amount due. Following action by the courts, if the debt remains unpaid it shall be referred to a collection agency and written off. Any delinquent debt exceeding \$25,000 shall be referred to the City Council in closed session for review and action prior to writing off the debt. Any delinquent debt of less than \$5,000 may be written off without use of the courts or a collection agency at the discretion of the Finance Director.

**IV. GOALS**

The Finance Director shall review all delinquent debts and make a determination of the type of collection process that best fits the circumstances. These collection processes include referral of the debt to a collection agency and court filings. Staff may also use their discretion to utilize monthly payment plans, interagency intercept collections



## POLICY: DELINQUENT ACCOUNTS RECEIVABLE AND RETURNED CHECKS

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programs, or other similar means of collection should these methods be deemed appropriate.





## POLICY: FIXED ASSETS

**Number:** F-6  
**Page:** 1

**Issue Number:** 2  
**Date Adopted:** April 3, 2018  
**Replaces:** December 16, 2003

### **I. PURPOSE**

To establish a procedure for the control of City fixed assets and to provide authorization for the disposal of these assets when they become surplus or obsolete.

### **II. BACKGROUND**

Fixed Assets is a term that is used to describe assets of the City that are used in day-to-day operations and have a useful life extending beyond a single year. Fixed Assets typically consist of the following types of assets: furniture, fixtures, machinery, equipment, books and vehicles.

Infrastructure Assets is a term that is used to describe those assets that are of value to the organization but not easily sold or disposed of. These assets typically consist of land, buildings, streets, trees, sewer/storm drain systems and traffic signals. Infrastructure assets are not part of this Council Policy.

### **III. POLICY**

It shall be the policy of the City of Yorba Linda that fixed assets be used for appropriate City purposes and be properly accounted for and secured. It is the responsibility of the Finance Department to ensure that fixed assets be inventoried on a regular basis and accounted for by department and asset category. It is the responsibility of Department Heads to ensure that proper budgeting and purchasing guidelines are followed when purchasing fixed assets, that fixed assets are adequately controlled and only used for appropriate City purposes.

It shall be the policy of the City- of Yorba Linda that fixed assets that are deemed to be surplus or obsolete, be disposed of by either donation to a school or non-profit agency, sent to auction, sold under sealed bid, traded for new or upgraded equipment, donated to a thrift shop, or recycled or disposed of as junk to a landfill or other appropriate waste removal facility. In instances where a private party has expressed interest in obtaining surplus City fixed assets for a price that staff has determined to be reasonable, staff shall present the proposal to the City Council's Finance Committee for approval or rejection.

### **IV. PROCEDURE**

The procedures for implementing this policy shall be contained in an Administrative Order approved by the City Manager that may be updated from time to time.



**POLICY: FIXED ASSETS**

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**Issue Number:** 2  
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## POLICY: DEBT MANAGEMENT

Number: F-7  
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Issue Number: 1  
Date Adopted: April 18, 2017

### **I. PURPOSE**

To establish guidelines for the issuance of debt by the City of Yorba Linda, the Successor Agency to the Yorba Linda Redevelopment Agency, the Yorba Linda Public Financing Authority, and any related entity of the City, for which the governing body consists of the same individuals as the City Council of the City.

### **II. BACKGROUND**

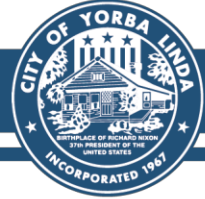
The City's Debt Management Policy establishes the overall debt management objectives for the City, the parameters within which the City may issue debt, and the requirements for administering debt that has been issued.

Effective January 21, 2017, California government agencies were required to adopt a Debt Management Policy (Policy) in compliance with Senate Bill No. 1029 (SB 1029) in order to issue new debt. This Policy is designed to comply with Section 8855(i), of the Government Code, added by SB 1029, as well as to provide other guidelines for the issuance and management of the City's debt.

### **III. POLICY**

The City is committed to financial planning, maintaining appropriate reserves levels and employing prudent practices in governance, management and budget administration. The City intends to issue debt for the purposes stated in this Policy and to implement policy decisions incorporated in the City's annual operating budget. The Policy applies to all new money and refunding debt issued by the City, the Successor Agency to the Redevelopment Agency, the Public Financing Authority, and any related entity of the City. The Policy is designed to assist the City in achieving the following debt management and planning goals and objectives:

1. Minimizing debt service and issuance costs.
2. Maintaining access to cost-effective borrowing.
3. Achieving the highest practical credit rating.
4. Repaying all outstanding debt in full and on a timely basis.



## POLICY: DEBT MANAGEMENT

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5. Maintaining full and complete financial disclosure and reporting related to the City's outstanding debt.
6. Ensuring that adequate internal controls are in place with respect to safeguarding and tracking the proceeds of debt issued by the City.
7. Ensuring compliance with applicable Federal and State laws, the Yorba Linda municipal code, and any applicable resolutions or policies adopted by the City Council.

## **IV. PROCEDURE**

The Finance Director shall review the City's Debt Management Policy on an as-needed basis to incorporate any applicable changes in Federal or State law, recommendations from the City's financial advisor(s), recommendations from the various national and state organizations of municipal finance officers, or other changes recommended by City staff. Any revisions to the City's Debt Management Policy shall be presented to the City Council for review and approval.

### **(A) Debt Issuances and Relationship to the City's Budget & Capital Improvement Program**

The City may issue debt for the purpose of financing capital projects, infrastructure improvements, and equipment or vehicle purchases, as well as for short-term purposes in anticipation of the receipt of bond proceeds or other revenues. The City's Capital Improvement Program (CIP) identifies capital projects that are anticipated to be constructed over a future planning period. Some of the projects contemplated in the CIP may require debt financing, and City staff shall make recommendations to the City Council as to the most appropriate way to finance these projects to ensure that projects are available when needed in furtherance of the City's public purposes. The annual debt service payments associated with currently outstanding or contemplated debt shall be incorporated into the City's two-year budget. The City shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures for capital improvements or equipment from its General Fund.

### **(B) Types of Debt**

The following types of debt may be issued by the City pursuant to this Policy, subject to applicable Federal and State laws, the Yorba Linda Municipal Code, and any resolutions or policies adopted by the City Council.



## POLICY: DEBT MANAGEMENT

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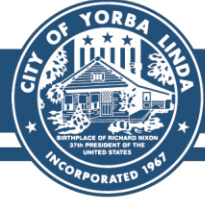
1. General obligation bonds.
2. Revenue bonds.
3. Bond, grant, tax, or revenue anticipation notes.
4. Lease revenue bonds or notes and certificates of participation.
5. Lease financings for vehicles and equipment.
6. Land-secured financings, such as special tax revenue bonds and limited obligation assessment bonds.
7. Tax allocation bonds / tax increment financings to the extent permitted under State law.
8. Conduit financings, such as financings for affordable rental housing and qualified 501(c)3 organizations.

Debt may be publicly issued or privately placed and may be issued on either a long-term or short-term basis consistent with the provisions of this Policy.

### (C) Responsibility for Debt Management Activities

The Finance Department shall be responsible for managing and coordinating all activities related to the issuance and administration of debt, including the implementation of internal control procedures to ensure that the proceeds of debt will be directed to the intended use. These activities include, but are not limited to, the following:

1. Issuing new money or refunding debt on behalf of the City.
2. Structuring proposed financings in consultation with the City's financial advisor(s).
3. Selecting the financing team for debt transactions, including financial advisors, bond underwriters, bond counsel, and other consultants or service providers.
4. Ensuring compliance with applicable disclosure and reporting requirements related to the City's debt.

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**(D) Debt-Related Internal Controls**

The Finance Department will maintain oversight responsibility for all debt financing activities. Debt financings should undergo a review process to ensure the integration of the proposed financing with the City's budget and CIP. The City should also maintain a multi-level approval process for any proposed debt issuance. This approval process consists of the Finance Director, the City Attorney, the City Manager, and the City Council. All debt-related proceeds will be used in accordance with the financing documents. The Finance Department shall ensure that all funds drawn down from bond proceeds are for purposes authorized in those documents and that adequate records are kept to document the related expenditures. Whenever reasonably possible, proceeds of debt will be held by a third-party trustee and the City will submit written requisitions for such proceeds. The City will submit a requisition only after obtaining the signature of the City Manager, Assistant City Manager, or Finance Director.

**(E) Debt Capacity**

The City will maintain a level of debt that is consistent with its creditworthiness objectives and the direction of the City Council. For general obligation bonds, the California Constitution requires that long-term debt pledged by the full faith and credit of the City can only be approved by voter referendum. Per California Government Code Section 43605, the City's debt limit is set at 15 percent of the total adjusted assessed valuation of all the real and personal property within the City. Currently, the City has no debt outstanding that is subject to the limit. Should any such debt be issued, the Finance Department shall annually calculate the City's available debt capacity and ensure that the City is in compliance with this requirement.

**(F) Adequacy of Revenues to Service Debt**

The Finance Department shall actively monitor the City's debt portfolio to ensure that adequate revenues exist to service debt and to identify opportunities to reduce debt service costs. For proposed debt issuances other than those supported by general taxes approved by the voters of the City, the Finance Director along with the City's financial advisor(s) shall determine the impact of the proposed debt on the anticipated revenue stream or other source for repayment to ensure adequate capacity is available for the debt issue.

**(G) Post-Issuance Compliance for Tax-Exempt Debt**

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**POLICY: DEBT MANAGEMENT**

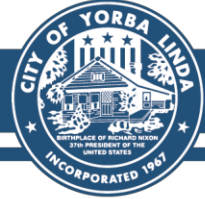
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The City will take all appropriate action to ensure that no use of the proceeds of tax-exempt debt, and no other event or action, will cause a violation of federal income tax limitations with respect to the exclusion of interest on the debt from federal income taxation, and that all uses of proceeds of the debt comply with legal requirements regarding the valid incurrence of debt and permitted uses of the proceeds of debt.

Without limiting the generality of the foregoing, the City will take the following actions to account for and monitor the expenditure and investment of debt proceeds, the use of any projects financed or refinanced with the proceeds of debt, and any changes in the underlying structure of the City's debt.

1. Nongovernmental Uses of Debt-Financed Facilities – The City will monitor and document sales, leases, management contracts, or other use agreements with respect to bond-financed facilities with nongovernmental entities, not including uses by members of the general public within the meaning of Federal law. If private activity exists, the City will compute the percent of private activity with respect to those nongovernmental uses. When nongovernmental uses of debt-financed facilities are identified, the City will take remedial action to address the issue, including but not limited to redemption or defeasance of nonqualified debt, alternative use of the impacted debt proceeds, and/or alternative use of the debt-financed facility in question.
2. Payment of Prior Expenditures from Debt Proceeds – The City will monitor and document expenditures incurred prior to the issue date of City debt that may be reimbursed from debt proceeds. The City will allocate debt proceeds to any eligible previously-incurred expenditures within 18 months after the later of the date the expenditure was made or the date the project(s) were placed in service, but not later than the earlier of five years after the funding date of the debt or 60 days after the debt was retired.
3. Arbitrage – The City will hire a consultant to calculate any arbitrage rebate payments due or perform the required calculations in-house. The City will make any payments due to the IRS as required by law, and will take remedial action to address any issue that violates the arbitrage provisions of Federal law, such as payment of a yield reduction payment.
4. Record Retention – The City will retain accounting records related to any debt issued by the City for at least three years after the final maturity date of the debt. However, if the debt is prepaid or refunded, the City will retain the

**POLICY: DEBT MANAGEMENT**

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related accounting records for at least three years after the prepayment date or the final maturity date of the refunding debt, respectively.

5. Reissuance – A significant modification of the terms of any debt issued by the City may result in the debt being deemed refunded or “reissued”. Such an event will require, among other things, the filing of new information returns with the Federal government and the execution of a new arbitrage certificate. Qualified bond counsel should be consulted in the event of any modification to the terms of any City debt.

(H) Continuing Disclosure

The City is obligated pursuant to Securities and Exchange Commission (SEC) Rule 15c2-12, as amended, under the continuing disclosure certificates for the publicly traded debt it has issued to disclose certain financial and other information annually through the dissemination of an Annual Report as well as a copy of the City’s Comprehensive Annual Financial Report (CAFR). Additionally, more frequent disclosure may be required when certain material events meeting the requirements set forth in the certificate have been identified. These filings are to be disseminated via the Municipal Securities Rulemaking Board’s (MSRB) Electronic Municipal Market Access (EMMA) system by the Finance Department or its authorized dissemination agent. Any EMMA filings made by the City shall be reviewed by the Finance Director prior to their publication.

1. Annual Reports and CAFR Submission to EMMA – Not later than the number of days following the end of each fiscal year of the City prescribed in each certificate while any debt remain outstanding, the Finance Director shall submit or cause the City’s CAFR and annual report to be submitted to the MSRB through EMMA.
2. Material Event Reporting – The Finance Director shall file or cause to be filed a notice of the occurrence of any event(s) with the MSRB via EMMA in a timely manner that complies with each certificate and applicable regulations. The events to be disclosed are listed in each certificate; however, additional disclosure requirements may exist beyond what is listed in each certificate should the SEC change the material event reporting requirements imposed upon issuers of publicly traded debt.
3. Notices of Redemption – Whenever any outstanding publicly traded bonds of the City are to be redeemed, the Finance Director will confirm that the City’s fiscal agent will give notice of the redemption to any parties required to be notified for the bond issue. Additionally, the notice will be posted to the





## POLICY: DEBT MANAGEMENT

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appropriate location on the EMMA website. The Finance Director will review the EMMA posting to confirm a timely and complete filing.

4. Disclosure Training for Applicable City Staff – The Finance Director shall ensure that appropriate City employees are familiar with this section of the City’s Debt Management Policy.
5. Identification of New Requirements – Annually, the Finance Director shall review the continuing disclosure certificates of all outstanding bonds to ensure that all requirements are still applicable and are being properly adhered to. Additionally, the Finance Director shall identify any new disclosure requirements imposed by recent regulations. Lastly, upon issuance of any new debt, the Finance Director shall immediately upon closing of the transaction review the final continuing disclosure certificate to ensure that the requirements of the certificate are properly adhered to in the future.

**POLICY: FUND BALANCE POLICY**

Number: F-8  
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Issue Number: 1  
Date Adopted: June 21, 2011

**I. PURPOSE**

To establish a key element of the financial stability of the City by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. The fund balance also provides cash flow liquidity for the City's general operations.

**II. BACKGROUND**

The Governmental Accounting Standards Board (GASB), the rule making body for governmental accounting, has recently issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions, to address issues related to how fund balance was being reported. The GASB's research revealed that the existing standards guiding fund balance reporting were being interpreted inconsistently by different governments. It also became clear that the understandability of fund balance information was affected and that financial statement users were unable to readily interpret reported fund balance.

Effective for reporting periods beginning after June 15, 2010, GASB Statement No. 54 creates five new classifications of fund balance. Each classification depicts the relative strength of the spending constraint for which the resources can be used.

**III. POLICY**

It shall be the policy of the City of Yorba Linda to comply with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

**IV. PROCEDURES**

The Finance Director shall establish the following classifications of fund balance depicting the relative strength of the spending constraints placed on the purposes for which resources can be used:

- **Non-Spendable Fund Balance** – amounts that will never convert to cash (such as prepaid items), amounts that will not convert to cash soon enough to affect the current period (such as assets held for resale), or are required to be maintained intact (such as the corpus of an endowment fund).

**POLICY: FUND BALANCE POLICY**

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- **Restricted Fund Balance** – amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government) through constitutional provisions or by enabling legislation.
- **Committed Fund Balance** – amounts constrained to specific purposes by the government itself. This requires a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
- **Assigned Fund Balance** – amounts intended to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official or body to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- **Unassigned Fund Balance** – is the residual classification of the General Fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.

Since there are practical and/or legal limitations on the use of non-spendable or restricted fund balances, they are not subject to the fund balance policies. The fund balance policies are relevant to the unrestricted fund balances, which include committed, assigned and unassigned fund balances.

**Authorization and Action to Commit Fund Balance**

The City Council is the government's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Council at a City Council meeting. The resolution must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period.

**Authorization and Action to Assign Fund Balance**

The City Council may assign fund balance to a specific purpose in relation to this fund balance policy. By resolution, the Council has also authorized the City Manager and/or Finance Director to assign fund balance. Assignments of fund balance by the City Manager and/or Finance Director do not require formal action by the City Council;



## POLICY: FUND BALANCE POLICY

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however, each assignment must be approved by either of the authorized officials before the item can be presented in the financial statements.

**POLICY: UNCLAIMED FUNDS**

**Number:** F-9  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** October 3, 2017

**I. PURPOSE**

To establish procedures for the disposition of unclaimed funds held in the City Treasury in compliance with the California Government Code.

**II. BACKGROUND**

The City issues checks to a variety of parties, some of which remain uncashed. The City also collects deposits from a variety of entities and individuals, some of which are never refunded. The California Government Code allows for these funds to be forfeited to the City once certain criteria have been met. This policy establishes a standardized, City Council-approved process for writing off these uncashed checks and unclaimed deposits based upon standardized citywide criteria.

**III. POLICY**

It is the policy of the City of Yorba Linda that funds related to uncashed checks and unclaimed deposits shall be forfeited to the City when the following criteria have been met:

1. For uncashed checks, the check must be dated at least three years prior to the initiation of the City's action to void the check.
2. For unclaimed deposits, the deposit account must have had no activity for a period of three years prior to the initiation of the City's action to void the deposit and the Community Development Director or Public Works Director/City Engineer, as applicable, must concur with the proposed action.

Amounts meeting these criteria shall be forfeited in the manner outlined below:

1. Amounts less than or equal to \$15.00 or amounts for which the owner's name is unknown will become the property of the City without the need for publication of a notice.
2. Amounts of more than \$15.00 for which the owner's name is known will become the property of the City after the procedures outlined below have been followed.

Additionally, following City Council action, amounts held in Funds of the City Treasury other than the General Fund may be transferred to the General Fund, as allowed by the California Government Code.



## POLICY: UNCLAIMED FUNDS

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### IV. PROCEDURES

The following procedures shall be observed:

1. A notice shall be published two times, one week apart, in the newspaper listing the entity or person to which the funds belong, the amount of the outstanding check or remaining balance of the deposit, and the date on which the check was issued or the deposit was originally received.
2. 45 days following the publication of the first notice, the funds shall become the property of the City.
3. The City Council shall be notified via a consent calendar staff report of all amounts that have been forfeited to the City. If material amounts were forfeited to funds in the City Treasury other than the General Fund, the Finance Department will include language in the report requesting the Council's approval to transfer the funds to the General Fund.
4. The Finance Department will make the appropriate accounting entries at that time to transfer the funds to the unassigned fund balance of the related fund in the City Treasury.



## POLICY: INVESTMENT POLICY

**Number:** F-10  
**Page:** 1

**Issue Number:** 19  
**Date Adopted:** June 15, 2021  
**Replaces:** June 16, 2020

### **I. PURPOSE**

To establish guidelines for the prudent investment of public funds in a manner that will protect City funds, meet daily cash flow expenditures, and comply with all federal, state, and local laws and ordinances governing the investment of public funds.

### **II. BACKGROUND**

Effective January 1, 2006, Section 53646(a)(2) of the Government Code was modified to allow local agencies the option of adopting an annual Investment Policy or to adopt an Investment Policy that would remain in effect until changed. In June 2006, the City Council opted to adopt an Investment Policy each year, regardless of whether it changed or not.

### **III. POLICY**

It shall be the policy of the City of Yorba Linda to annually review and adopt an Investment Policy. This Policy applies to all financial assets and funds held by the City of Yorba Linda and the Successor Agency to the Yorba Linda Redevelopment Agency. All Funds reflected in the City's Comprehensive Annual Financial Report are subject to this policy, including any new funds that are created, unless specifically exempted by the City Council. Retirement-related funds in a trust and bank deposits (governed under the California Government Code's "Deposit of Funds" provisions) are excluded from this Policy's requirements.

### **IV. PROCEDURES**

The City Treasurer shall annually review the City's Investment Policy, and incorporate any changes in state law, recommendations from the City's Investment Advisor, recommendations from the various national and state organizations of municipal finance officers, or other changes recommended by City staff. The revised Investment Policy shall be presented to the Finance Committee and the City Council for review and approval.

#### **(A) Responsibilities**

No person may engage in investment activities except as provided under the terms of this Policy and the procedures established by the City Treasurer.

#### **1. Responsibilities of the City Council**

The City Council shall annually consider and adopt a written Investment Policy. As provided in this Policy, the Council shall receive monthly City Treasurer Reports and the annual Investment Policy.



## POLICY: INVESTMENT POLICY

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**Issue Number:** 19  
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### 2. Responsibilities of the Finance Director / City Treasurer

The Finance Director is appointed by and serves at the pleasure of the City Manager and is subject to his or her direction and supervision. The Finance Director is charged with responsibility for the conduct of all Finance Department functions.

The City Treasurer is appointed by the City Council and is charged with responsibility for carrying out all investment actions. The City Council has historically appointed the Finance Director to also serve as City Treasurer, and at least annually delegates its authority to invest and reinvest the City's funds and to sell or exchange purchased securities to the City Treasurer in accordance with Government Code Section 53607. The City Treasurer may delegate the day-to-day investment activities to his/her designee(s) but not the responsibility for the overall investment program. If authorized by the City Council, the City Treasurer may also utilize the services of an external investment advisor to assist with the investment program.

### 3. Responsibilities of the City Manager

The City Manager is responsible for keeping the City Council fully advised as to the financial condition of the City.

### 4. Responsibilities of the Finance Department

Under the supervision of the Finance Director / City Treasurer, the Finance Department is charged with the responsibility for managing all public funds and securities belonging to or under the control of the City and Successor Agency and for the deposit and investment of those funds in accordance with principles of sound treasury management and applicable laws and ordinances. Appropriate internal controls designed to ensure that assets of the City are protected from loss, theft, or misuse, including but not limited to separation of duties and multiple approvers for transactions, shall be maintained at all times in order to safeguard the City's assets.

### 5. Responsibilities of the City's Investment Advisor

Should the City determine that it is appropriate to engage a firm to manage the City's investment portfolio, the Investment Advisor shall invest the City's funds in investments that are in compliance with this policy and provide accurate and



**POLICY: INVESTMENT POLICY**

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timely reports of its investment activities to City staff. The Investment Advisor shall never take possession of the City's funds or assets.

6. Responsibilities of the City's Auditing Firm

The City's auditing firm's responsibilities shall include, but are not limited to, the examination and analysis of fiscal procedures and the examination, checking, and verification of accounts, revenues, and expenditures. A review of the City's investment program is a part of this responsibility.

(B) Prudent Investor Rule

The City of Yorba Linda makes its cash investments under the prudent investor rule (Government Code Section 53600.3), which states, in essence, that in investing and managing property, a trustee shall act with the care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the City, that a prudent person acting in a like capacity and familiar with those matters would use in conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City. Within the limitations of the Government Code and considering individual investments as part of an overall strategy, investment may be acquired as authorized by law. This affords the City a broad spectrum of investment opportunities as long as an investment is deemed prudent as is allowable under the current laws of the State of California.

The City Treasurer and other individuals assigned to manage the investment portfolio, acting in accordance with state law and the intent and scope of the Investment Policy and other written procedures and exercising due diligence, shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

(C) Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that conflicts with proper execution of the investment program or impairs their ability to make impartial investment decisions. Additionally, the City Treasurer, other employees designated in the City's conflict of interest code, and the City's Investment Advisor, if one is used, are required to annually file applicable financial disclosures as required by the Fair Political

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Practices Commission (FPPC) and are subject to California law relative to conflicts of interest.

(D) Level of Investment

The City strives to maintain the level of investment of all investable cash as near to 100 percent as possible through current and projected cash flow management. The City Treasurer shall maintain a system to monitor and forecast revenues and expenditures so that City funds can be invested to the fullest extent possible while providing sufficient liquidity to meet the City's reasonably anticipated cash flow requirements. Maturities of investments will be selected to provide necessary liquidity, manage interest rate risk, and optimize earnings. Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds.

(E) Investment Criteria

The City seeks safety and liquidity in all of its investments followed by yield. Safety, liquidity, and yield are defined as follows:

1. **Safety.** Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
2. **Liquidity.** The investment portfolio shall remain sufficiently liquid to meet operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands.
3. **Yield.** The investment portfolio shall be designed with the objective of attaining a market rate of return, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

(F) Allowable Investments

Sections 53601 & 53635 of the California Government Code govern allowable investments. The City shall not invest in any investment authorized by the Government Code, but not explicitly listed in this Policy without the prior approval of the City Council. In the event that an apparent discrepancy is found between this Policy and the Government Code, the more restrictive parameters will take

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precedence. If collateral is required for a particular investment type, it will be provided in compliance with California Government Code requirements. Furthermore, the City will not invest in inverse floaters, range notes, mortgage-derived, interest-only strips, or any security that could result in zero interest accrual if held to maturity. Prior to investing in any pooled investment program (e.g., LAIF, LGIPs, mmfs), the City Treasurer should review the program's documentation (e.g., investment policy, policies for participation, fees) to determine the appropriateness of the pool for City funds. Whenever the City has funds invested in a pooled investment program, the City Treasurer should periodically review the pool's investment holdings.

The City shall diversify the investments within the portfolio to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities. To promote diversification, no more than 5% of the portfolio may be invested in the securities of any one issuer, regardless of security type; excluding U.S. Treasuries, federal agencies, supranationals, and pooled investments such as LAIF, money market funds, or local government investment pools.

The weighted average duration of the investment portfolio shall not exceed 3.0 years. For those investment types for which this Policy does not specify a maturity limit, no individual investment shall exceed a maturity of five years from the date of purchase unless the City Council has granted express authority to make that investment either specifically or as a part of an investment program approved by the City Council no less than three months prior to the investment.

The following types of investments are authorized by this Policy:

1. **U.S. Treasury Instruments.** United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest. There is no limitation as to the percentage of the City's portfolio that may be invested in this category.
2. **State of California's Local Agency Investment Fund (LAIF).** A State of California-managed investment pool. The maximum amount invested in this category may not exceed the limit set by LAIF for operating accounts.
3. **Local Government Investment Pools ("LGIP").** Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in Government Code. The City will limit investments to LGIPs that seek to

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maintain a stable net asset value. There is no limitation as to the percentage of the City's portfolio that may be invested in this category.

4. **Municipal Debt.** Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state.

Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California.

Bonds, notes, warrants, or other evidences of indebtedness of a local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

Purchases are limited to securities rated in a rating category of "A" (long-term) or "A-1" (short-term) or their equivalents or better by an NRSRO. A maximum of 30% the City's portfolio may be invested in this category.

5. **Federal Agency Securities.** Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. There is no limitation as to the percentage of the City's portfolio that may be invested in this category.
6. **Negotiable Certificates of Deposit.** Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases are limited to securities rated in a rating category of "A" (long-term) or "A-1" (short-term) or their equivalents or better by an NRSRO. A maximum of 30% the City's portfolio may be invested in this category.
8. **Commercial Paper.** Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). The entity

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that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or (2):

- (1) The entity meets the following criteria: (A) Is organized and operating in the United States as a general corporation; (B) Has total assets in excess of five hundred million dollars (\$500,000,000), and (C) Has debt other than commercial paper, if any, that is rated in a rating category of "A" or its equivalent or better by an NRSRO.
- (2) The entity meets the following criteria: (A) Is organized within the United States as a special purpose corporation, trust, or limited liability company, (B) Has program-wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond, and (C) Has commercial paper that is rated "A-1" or better, or the equivalent, by an NRSRO.

Purchases are limited to securities that have a maximum maturity of 270 days. A maximum of 30% the City's portfolio may be invested in this category.

9. **Medium-Term Notes.** Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Purchases are limited to securities rated in a rating category of "A" or its equivalent or better by an NRSRO. A maximum of 30% the City's portfolio may be invested in this category.
10. **Money Market Funds ("MMF").** Purchases are restricted to Government Money Market Funds. Furthermore, these Money Market Funds must have met either of the following criteria: (A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs, or (B) Retained an investment advisor with not less than five years' experience and registered or exempt from registration with the SEC, with assets under management in excess of five hundred million dollars (\$500,000,000). A maximum of 20% of the City's portfolio may be invested in this category.
11. **Supranational Obligations.** United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally

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guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by a Nationally Recognized Statistical Rating Organization ("NRSRO"). A maximum of 30% the City's portfolio may be invested in this category.

12. **Asset-Backed Securities.** A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO. A maximum of 20% the City's portfolio may be invested in this category.

(G) Performance Standards

The investment portfolio shall be managed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs. The City will employ an active management approach that allows for the sale of securities prior to their scheduled maturity dates for purposes of improving the portfolio's credit quality, liquidity, or return in response to changing market conditions or City circumstances. This Policy recognizes that in a diversified portfolio occasional measured losses are inevitable and must be considered within the context of the overall portfolio's structure and expected investment return, with the proviso that adequate diversification and credit analysis have been implemented.

An appropriate performance benchmark shall be established against which portfolio performance shall be compared on a regular basis. The selected performance benchmark shall be representative of the City's overall investment objectives and liquidity requirements.

(H) Investment Reporting and Portfolio Review

A monthly Treasurer's Report shall be prepared and submitted to the City Council, which shall include a complete description of the portfolio, type of investments, issuers, and other relevant information.



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The City Treasurer shall review the portfolio at least on a quarterly basis to verify that the securities in the portfolio are in compliance with this Policy and shall report any issues of material non-compliance in the next monthly Treasurer's Report. Percentage holding limits and diversification requirements listed in this Policy apply at the time a security is purchased. If a percentage holding limit or diversification requirement is exceeded due to a subsequent change in the portfolio, it is not a compliance violation, but no additional securities may be purchased in that category or for that issuer until the holdings are back under the Policy limits. Credit ratings, where shown, specify the minimum credit rating category required at purchase. In the event a security held by the City is subject to a credit rating change that brings it below the minimum credit ratings specified in this Policy, the City Treasurer should notify the City Council of the change in the next monthly Treasurer's Report. The course of action to be followed will then be decided on a case-by-case basis, considering such factors as the reason for the change, prognosis for recovery or further rating downgrades, and the market price of the security. If a security is determined to be out of compliance with this Policy due to a subsequent change in this Policy or the Government Code, it may be held to maturity unless there is a requirement that the security be sold.

(I) Debt Proceeds

Debt proceeds and bond reserve funds are to be invested in accordance with their respective bond indenture. If the indenture is silent as to the permitted investments, the bond proceeds will be invested in the securities permitted by this Policy. Notwithstanding the other provisions of this Policy, the percentage limitations listed elsewhere in this Policy do not apply to bond proceeds and bond proceeds may be invested beyond five years if the maturities of such investments do not exceed the expected use of the funds, the investments are deemed prudent in the opinion of the City Treasurer, and the investments are not prohibited by the applicable bond documents. Tax and Revenue Anticipation Notes or other temporary financing proceeds shall not be invested for a term that exceeds the term of the debt.

(J) Safekeeping

To protect against potential losses by collapse of individual securities dealers, all deliverable securities owned by the City, including collateral on repurchase agreements, shall be held in safekeeping by a third party bank trust department acting as agent for the City under the terms of a custody agreement executed by the bank and by the City. All deliverable securities will be received and delivered using standard delivery-versus-payment procedures.

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(K) Qualified Financial Institutions and Broker/Dealers

Investments not purchased directly from the issuer, shall be purchased either from an institution licensed by the state as a broker-dealer or from a member of a federally regulated securities exchange, from a national or state-chartered bank, from a savings association or federal association, or from a brokerage firm designated as a primary government dealer by the Federal Reserve Bank. If the City is utilizing a financial dealer or institution to execute transactions, the City Treasurer shall maintain a list of the firms that have been approved for investment purposes. A copy of this Policy shall be sent annually to all firms with which the City executes investments.

If the City has contracted with an Investment Advisor to provide investment services, the Investment Advisor may use their own list of approved issuers, brokers/dealers, and financial institutions with which to conduct transactions on the City's behalf.

**V. DEFINITIONS**

**AGENCIES:** Securities issued by federal agency securities and/or Government-sponsored enterprises (e.g. FNMA, FHLMC, FHLB).

**AMORTIZED COST (or Book Value):** For investments purchased at a discount, amortized cost constitutes cost plus interest earned to date.

**ASKED:** The price at which securities are offered for sale; also known as offering price.

**ASSET-BACKED SECURITIES (ABS):** Securities whose income payments and hence value is derived from and collateralized (or "backed") by a specified pool of underlying assets which are receivables. Pooling the assets into financial instruments allows them to be sold to general investors, a process called securitization, and allows the risk of investing in the underlying assets to be diversified because each security will represent a fraction of the total value of the diverse pool of underlying assets. The pools of underlying assets can comprise common payments credit cards, auto loans, mortgage loans, and other types of assets. Interest and principal is paid to investors from borrowers who are paying down their debt.

**BASIS POINT:** One hundredth of one percent (i.e. 0.01 percent).





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**BENCHMARK:** A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

**BID:** The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

**BROKER:** A broker brings buyers and sellers together for a commission.

**CALLABLE BOND:** A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

**CERTIFICATE OF DEPOSIT (CD):** A time deposit with a specific maturity evidenced by a Certificate. Large denomination CD's are typically negotiable.

**COMMERCIAL PAPER:** An unsecured promissory note with a fixed maturity no longer than 270 days.

**COLLATERAL:** Securities, evidence of deposit or other property, which secures repayment of an investment. Also refers to securities pledged by a bank to secure deposits of public monies.

**COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR):** The official annual report of the City. It includes financial statements in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

**COUPON:** (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value.

(b) A certificate attached to a bond evidencing interest due on a payment date.

**CREDIT RISK:** The risk to an investor that an issuer will default in the payment of interest and/or principal on a security and a loss will result.

**CUSTODIAN:** A bank or other financial institution that keeps custody of stock certificates and other assets.

**DEALER:** A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

**DEBENTURE:** A bond secured only by the general credit of the issuer.

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**DELIVERY VERSUS PAYMENT:** There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

**DERIVATIVES:** (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

**DISCOUNT:** The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

**DISCOUNT SECURITIES:** Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value (e.g., U.S. Treasury Bills, commercial paper.)

**DIVERSIFICATION:** Dividing investment funds among a variety of securities offering independent returns.

**DURATION:** A measure of the sensitivity of the price (the value of principal) of a fixed-income investment to a change in interest rates. This calculation is based on three variables: term to maturity, coupon rate, and yield to maturity. Duration is expressed as a number of years. The duration of a security is a useful indicator of its price volatility for given changes in interest rates. Rising interest rates mean falling bond prices, while declining interest rates mean rising bond prices.

**FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC):** A federal agency that insures bank deposits.

**FEDERAL FARM CREDIT BANK (FFCB):** Government-sponsored institution that consolidates the financing activities of the Federal Land Banks, the Federal Intermediate Credit Banks and the Banks for Cooperatives. Its securities do not carry direct U.S. Government guarantees.

**FEDERAL FUNDS RATE:** The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

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**FEDERAL HOME LOAN BANKS (FHLB):** Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank.

**FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC or Freddie Mac):** Established in 1970 to help maintain the availability of mortgage credit for residential housing. FHLMC finances these operations by marketing guaranteed mortgage certificates and mortgage participation certificates. FHLMC's securities are highly liquid and are widely accepted. FHLMC is currently operated under conservatorship of the U.S. Government.

**FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA or Fannie Mae):** FNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a Federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA is currently operated under conservatorship of the U.S. Government.

**FEDERAL OPEN MARKET COMMITTEE (FOMC):** Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

**FEDERAL RESERVE SYSTEM:** The central bank of the U.S. which consists of seven member Board of Governors, 12 regional banks, and about 5,700 commercial banks that are members.

**FINANCIAL INDUSTRY REGULATORY AUTHORITY (FINRA):** The Financial Industry Regulatory Authority (FINRA) is the largest independent regulator for all securities firms doing business in the United States. All told, FINRA oversees nearly 4,750 brokerage firms, about 167,000 branch offices and approximately 634,000 registered securities representatives.

**INTEREST RATE RISK:** The risk of gain or loss in market values of securities due to changes in interest-rate levels. For example, rising interest rates will cause the market value of portfolio securities to decline.



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**INVESTMENT POLICY:** A clear and concise statement of the objectives and parameters formulated by an investor or investment manager for a portfolio of investment securities.

**LIQUIDITY:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

**LOCAL AGENCY INVESTMENT FUND (LAIF):** The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment purposes.

**LOCAL GOVERNMENT INVESTMENT POOL (LGIP):** A type of pooled investment program in which funds from local agency investors/participants are aggregated together for investment purposes.

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold.

**MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.

**MEDIUM-TERM NOTES (MTNs):** Unsecured corporate obligations. For purposes of the California Government Code, they have a maximum remaining maturity of five years or less.

**MONEY MARKET:** The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

**MONEY MARKET FUND.** A type of mutual fund that invests exclusively in short-term investments.

**MORTGAGE-BACKED SECURITIES (MBS):** These securities represent an ownership interest in mortgage loans made by financial institutions (savings and loans, commercial banks, or mortgage companies) to finance the borrower's purchase of a home or other real estate. MBS are created when these loans are packaged, or "pooled," by issuers or servicers for sale to investors. As the underlying mortgage loans are paid off by the homeowners, the investors receive payments of interest and principal.

**MUTUAL FUND:** A fund operated by an investment company that raises money from shareholders and invests it on their behalf. Profits are distributed to shareholders after

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the investment company deducts its management fee. Mutual funds are regulated by the SEC.

**NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATION (NRSRO):** A credit rating agency that issue credit ratings that the U.S. Securities and Exchange Commission (SEC) permits other financial firms to use for certain regulatory purposes. The largest three NRSROs are Standard & Poor's, Moody's Investors Service and Fitch Ratings.

**NEGOTIABLE:** Something that can be sold or transferred to another party.

**NEGOTIABLE CERTIFICATES OF DEPOSIT:** Large denomination certificates of deposit with a fixed maturity date, which can be sold in the money market. They are not collateralized.

**OFFER:** The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

**OPEN MARKET OPERATIONS:** Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

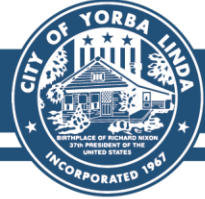
**PAR VALUE:** The amount of principal that must be paid at maturity. Also referred to as the face amount of a bond, normally quoted in increments of \$1,000 per bond.

**PORTFOLIO:** Collection of securities held by an investor.

**PRIMARY DEALER:** A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

**PREMIUM:** The amount by which a security sells above its par value.

**PRINCIPAL:** The face or par value of a debt instrument or the amount of capital invested in a given security.

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**PRUDENT INVESTORS RULE:** An investment standard. In California, persons authorized to make investment decisions on behalf of a local agency are considered trustees and therefore fiduciaries subject to the Prudent Investor Rule. A trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

**QUALIFIED PUBLIC DEPOSITORIES:** A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

**RATE OF RETURN:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.

**SAFEKEEPING:** A service banks offer to clients for a fee, where physical securities are held in the bank's vault for protection and book-entry securities are on record with the Federal Reserve Bank or Depository Trust Company in the bank's name for the benefit of the client. As agent for the client, the safekeeping bank settles securities transactions, collects coupon payments, and redeems securities at maturity or, if called, on the call date.

**SECONDARY MARKET:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**SECURITIES:** Investment instruments such as notes, bonds, stocks, money market instruments and other instruments of indebtedness of equity.

**SECURITIES & EXCHANGE COMMISSION (sec):** Agency created by Congress to protect investors in securities transactions by administering securities legislation.

**SPREAD:** The difference between two figures or percentages. It may be the difference between the bid (price at which a prospective buyer offers to pay) and asked (price at which an owner offers to sell) prices of a quote, or between the amount paid when bought and the amount received when sold.

**SUPRANATIONAL:** Supranational entities are formed by two or more central governments with the purpose of promoting economic development for the member countries. Supranational institutions finance their activities by issuing debt, such as supranational bonds. Examples of supranational institutions include the European Investment Bank and the World Bank. Similarly to the government bonds, the bonds

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issued by these institutions are considered direct obligations of the issuing nations and have a high credit rating.

**TREASURY SECURITIES.** Obligations issued by the federal government, which are backed by the U.S. Government's full faith & credit. Generally considered to have the lowest credit risk of any security. They are issued in a range of maturities:

- **TREASURY BILLS.** Are short-term, non-interest bearing discount security having initial maturities of one-year or less.
- **TREASURY NOTES.** Are Intermediate-term coupon-bearing securities having initial maturities from two to ten years.
- **TREASURY BONDS.** Are long-term coupon-bearing securities having initial maturities of more than ten years.

**UNIFORM NET CAPITAL RULE:** Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**WEIGHTED AVERAGE MATURITY (OR DURATION):** The sum of the amount of each investment multiplied by the number of days to maturity (or duration), divided by the total amount of investments.

**YIELD:** The annual rate of return on an investment expressed as a percentage of the investment. Income yield is obtained by dividing the current dollar income by the current market price for the security.

**YIELD CURVE:** Yield calculations of various maturities of instruments of the same quality at a given time to show yield relationships.





## **POLICY: COMPREHENSIVE CITYWIDE FINANCIAL POLICY FRAMEWORK**

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### **I. PURPOSE**

To establish a framework of comprehensive, City Council-approved financial policies for the City of Yorba Linda to guide budgetary, financial management, and operational decision making.

### **II. BACKGROUND**

Over the years, the City has implemented various financial policies. In some cases, these have been approved by the City Council. In other cases, they have been implemented internally by staff. This City Council Policy document is designed to catalog all of these financial policies in a single location to provide staff and the public with a comprehensive understanding of the City's strong financial management practices.

### **III. POLICY**

It shall be the policy of the City of Yorba Linda to establish and maintain a comprehensive framework of financial policies that promote and ensure organizational continuity, consistency, transparency, and responsibility from year to year. Each of the following policies is discussed below, including summaries of those that are further discussed in more detailed stand-alone City Council Policies.

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### **Budget-Related Policies**

#### ***Two-Year Budget Policy***

City Council Policy F-2, adopted on February 18, 1992, formally established the City's policy to adopt budgets covering a two-year fiscal period, which had been informally in place since the 1987/88 fiscal year. This policy also allows for unspent capital project appropriations and encumbered funds to be carried forward automatically between the first and second years of the Two-Year Budget. Any other carryover funds as well as all carryover funds at the conclusion of the two-year fiscal period covered by the Two-Year Budget may be carried forward only through an action of the City Council.

After the conclusion of the first year of the Two-Year Budget, it is the City's policy to undertake a comprehensive Mid-Term Budget Update, which validates the assumptions included in the second year of the Two-Year Budget and requests City Council approval of any required adjustments to the budget as originally adopted.

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***Budget Reserves Policy***

City Council Policy F-3, adopted on October 4, 2016, is the third iteration of the City's Budget Reserves Policy. This policy governs the City's operating and capital reserves for various funds. In particular, it establishes an operating reserve for the General Fund equal to 50% of the expenditure budget excluding transfers, with 40% reserved for emergencies and 10% reserved for economic contingencies. The policy further establishes criteria by which these funds may be accessed and a timeline for their replenishment following use. In addition, the policy establishes what are termed "Special Reserves" for the General Fund, which include capital reserves for infrastructure, facilities, vehicles, and equipment, and cash reserves for self-insurance and employee leave liabilities.

Importantly, the policy also establishes requirements for the disposition of surplus General Fund operating reserves, with uses limited to unfunded capital projects, unfunded liabilities, and vehicle and equipment purchases. Through this policy, the City is dedicating resources to paying down its unfunded pension liability at an accelerated rate and contributing to its other post-employment benefits (OPEB) trust to pay down the City's unfunded retiree health insurance liability, as more fully described later in this document in the Debt and Liability-Related Policies Section.

***Supplemental Appropriations and Budget Transfers Policy***

The Two-Year Budget, as adopted by the City Council, establishes the total appropriation provided for each City Department's operations. City Council Policy F-4, adopted on February 15, 2000, established guidelines for the modification of the adopted budget. This policy delegates to the City Manager the authority to make supplemental appropriations or budget transfers up to an amount of \$25,000 each. Any supplemental appropriations or budget transfers that exceed \$25,000 must be approved by the City Council. All supplemental appropriations and budget transfers, regardless of amount, are reflected in the City's quarterly budget reports provided to the City Council.

***Balanced Budget Policy***

The City's policy is to adopt a balanced budget, which means that budgeted expenditures do not exceed available funds. Available funds may include the use of budget reserve funds, provided that the use of those funds is consistent with the City's Budget Reserves Policy.

***Long-Term Financial Planning and Budget Monitoring Policy***

The City's policy is to prepare a Five-Year Financial Plan for the General Fund and the Library Fund that provides an additional three years of data beyond the period covered by the Two-Year Budget, and an additional year in the second year of the Two-Year Budget cycle. This Five-Year Financial Plan is typically presented to the Council concurrently with the budget. Additionally, the City's policy is to provide the City Council with a quarterly budget update report, which provides

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current revenue, expenditures, and fund balance projections for the General Fund, as well as updates on any material variances in other City funds. At mid-year, the City Council is presented with a more comprehensive update for the second quarter, which includes recommendations for any required adjustments to the budget as adopted.

***One-Time Revenue Policy***

The City's policy is to avoid the use of one-time revenues to fund ongoing operations, though when considered as part of the City's Five-Year Financial Plan usage of one-time revenue may be appropriate to bridge short-term gaps in available resources as permitted by the City's Budget Reserves Policy. Examples of one-time revenue include proceeds of asset sales, deferring operating or maintenance costs, or using operating or special reserve funds to fund ongoing operations.

***Capital Improvement Program Policy***

The City is responsible for maintaining a variety of infrastructure and facilities, including roads, sidewalks, storm drains, parks, and buildings. Ensuring that these facilities are adequately maintained, expanded, and upgraded and that new facilities are added when needed is an important component of the City's financial responsibilities. It is the City's policy to prepare a Seven-Year Capital Improvement Program concurrently with the preparation of each Two-Year Budget. Additionally, updates shall be undertaken in the second year of each two-year budget cycle to ensure that any required adjustments are made and to add a new seventh year to the Capital Improvement Program.

***Proposition 4 (Gann) Appropriation Limit Policy***

Article 13-B of the California Constitution was added by the November 1979 passage of the Gann Initiative. This legislation mandated that California Cities must compute an appropriation limit, which places a ceiling on the total amount of tax revenues that the City can appropriate annually. The legislation also provides that the governing body shall annually establish its appropriations limit by resolution. The appropriations limit is calculated by determining appropriations financed by proceeds of taxes in the 1978/79 base year and adjusting the limit each subsequent year for changes in the cost of living and population. This Appropriation Limit is the maximum limit of proceeds from taxes the City may collect or spend each year. Budgeted appropriations are limited to actual revenues if they are lower than the limit. The Appropriations Limit may be amended at any time during the fiscal year to reflect new data.

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**Debt and Liability-Related Policies*****Debt Management Policy***

City Council Policy F-7, adopted on April 18, 2017, formally established the City's Debt Management Policy. This policy includes guidelines for the issuance of debt, including the types of debt that may be issued, responsibilities for debt management activities, maintenance of appropriate internal controls, post-issuance compliance, continuing disclosure, and other related issues.

The California Constitution requires that long-term debt pledged by the full faith and credit of the City can only be approved by voter referendum. Per State of California statute, the City's debt limit is set at 15 percent of total adjusted assessed valuation of all the real and personal property within the City. The City included its debt limit calculation in the Two-Year Budget document. Specific details regarding the City's outstanding debt can be found in the Budget Summary Section of that document.

***Short-Term Borrowing Policy***

Due to the City's strong cash position, short-term borrowing has historically not been required for the funding of ongoing operations. However, it is not uncommon in other agencies to utilize short-term borrowing to address cashflow issues due to the irregular receipt of tax revenues throughout the fiscal year. In the event that short-term borrowing is required for cash flow purposes in the future, it is the City's policy that such borrowing shall be limited to what is required to fund interim cash flow shortages during a single fiscal year. Under no circumstance should borrowing that spans fiscal years be utilized for funding operating costs. Any short-term borrowing for operating costs shall be approved by the City Council.

In other circumstances, short-term borrowing may also be appropriate for funding capital expenditures, such as the early phases of a capital project that will ultimately be funded through the issuance of debt or receipt of grant funding. In these circumstances, the short-term borrowing shall be approved by the City Council. Short-term borrowing for purposes other than funding operating costs may span fiscal years, but in all cases shall be accompanied by a detailed plan of finance that illustrates the source and timing of repayment for the borrowing.

***Risk Management Policy***

The City is exposed to various risks of loss related to tort claims, theft, damage, and destruction of assets, errors and omissions, injuries to employees, and natural disasters. Adequate Special Reserve funds have been set aside to cover the City's current claim-related obligations and incurred but not reported (IBNR) claims as calculated annually by third-party actuaries plus a reserve of \$500,000. Various insurance policies are carried by the City to cover risks of loss

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beyond self-insured amounts of \$250,000 for liability claims and \$500,000 for workers compensation claims.

***Pension, OPEB, and Other Employee-Related Liabilities Policy***

It is the City's policy to annually evaluate its unfunded liabilities for pension and OPEB costs. The City Council has taken steps to curtail these liabilities, including establishing a second tier of retiree medical benefits in 2017. This second tier has effectively ended the City-funded retiree health, dental, and vision benefits for new employees other than the State-mandated minimum contribution toward health insurance. The City Council considers making lump-sum payments toward these liabilities as part of the year-end review of the prior year's financial performance. In recent years, the Council's policy has been to mirror a 20-year amortization of its pension liability through additional annual lump sum payments and to make an annual cash contribution to an OPEB trust established with CalPERS to prefund a portion of the City's OPEB liability.

The City has also established a policy of fully funding its workers compensation and liability insurance liabilities through Special Reserves, along with fully funding its compensated absences liability for the portion of accrued leave balances that have a value that may be converted to cash annually or upon retirement. Certain sick leave and administrative leave balances have no cash value and are forfeited upon separation or retirement. The City therefore does not set aside funds to cover these accrued leave balances.

**Financial Oversight Policies*****Financial Transparency Policy***

As a component of the City's overall broader transparency initiatives, the City finds value in providing financial information to the public through an easy to navigate online portal. Accordingly, it is the City's policy that financial information be provided to the public via the City's website, including budget data, actual revenue and expenditure data for recent years and the current Two-Year Budget period, and detailed accounts payable data for expenditures made by the City. Copies of the City's Two-Year Budget documents and Comprehensive Annual Financial Reports are also posted to the City's website.

Additionally, pursuant to Yorba Linda Municipal Code Section 3.12 the Finance Department presents detailed reports of all payments made by the City via check, wire, and electronic transfer to the City Council's Finance Committee for review on a quarterly basis.

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***Audit Committee Policy***

City Council Resolution No. 2017-5432 established the City Council's Finance Committee as the City's Audit Committee and charged them with managing the City's annual external audit process. The Committee's duties in this regard include:

1. Meeting with the auditors annually prior to the initiation of the audit to receive an overview of the audit process and to provide the auditors with any information that the Audit Committee or the City Council wishes to share that may assist them in the audit.
2. Upon completion of the City's annual audit, reviewing all findings discussed in the audit report and consulting with the auditors regarding any other irregularities and/or deficiencies identified during the annual audit. The Audit Committee should ensure that timely and appropriate corrective action has been taken as required.
3. Considering the effectiveness of the framework for internal control, reviewing the effectiveness of the systems for monitoring compliance with laws and regulations, and reviewing the processes for communicating the City's compliance policies to City personnel and monitoring compliance therewith.
4. Providing effective methods for City employees or the public to confidentially report suspected illegal, improper, wasteful, or fraudulent activity.
5. Providing oversight of the selection of the City's independent auditors.

***Special Audit Program Policy***

Recognizing that an effective internal audit program is an integral component of strong financial management practices, on February 21, 2017, the City Council established a program of annual agreed upon procedures reviews by the City's external auditors in lieu of establishing an in-house internal audit function. This solution was deemed most cost-effective given the City's size. To provide a more familiar name for these reviews, the term "Special Audit Program" has been utilized to describe these reviews, which cover a wide range of financial and operational topics such as overtime utilization, policies and procedures reviews, cash handling, property disposal, and other relevant topics. The City's policy is for the Finance Committee to select two topics for review each year as part of this program based on recommendations received from City staff and the City's external auditors.

***Fraud Hotline Policy***

The City Council takes concerns of fraud on the part of City employees or contractors seriously. On February 21, 2017, the City Council therefore authorized the implementation of a telephone fraud hotline for citizens or employees to anonymously report concerns, which is supplemented



**POLICY: COMPREHENSIVE CITYWIDE FINANCIAL POLICY FRAMEWORK**

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by an online form on the City's website as an alternative means of reporting concerns. It is the City's policy that any fraud reported through the hotline or web form be investigated by appropriate City staff, and for a summary report of the findings of the investigation to be presented to the Finance Committee and ultimately the full City Council.

**Other Financial Policies*****Investment Policy***

City Council Policy F-10, most recently updated on June 5, 2018, outlines the City's Investment Policy. This policy is updated at least annually to reflect current best practices and changes to the law. Consistent with the City's conservative financial management practices, the Policy imposes certain restrictions on the City's investment management that are more conservative than those authorized under State law. The City is also advised by PFM, its external investment advisory firm, on any recommended changes to the Policy.

***User Fees & Charges Policy***

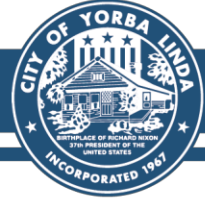
On August 15, 2017, the City Council adopted Resolution No. 2017-5496, which established two user fee-related policies. First, it is the City's policy that the cost of processing various applications and permits and providing other services that are of primary benefit to the user should be borne primarily by the user receiving benefit from such services. Second, it is the City's policy that user fees should be updated through a comprehensive review at least every three years, and that interim fee updates equal to the Consumer Price Index may be implemented by the City Manager. Typically, the City Council should adopt a cost recovery level of 100%, though in certain circumstances the Council may approve lower cost recovery levels when there is an appropriate circumstance warranting a lower fee.

***Impact Fees Policy***

The City has a variety of development impact fees that are established through Ordinances of the City Council. It is the City's policy that these fees be reviewed periodically for the purpose of verifying that they are adequately recovering the cost of developing facilities to serve new development and that they be updated at reasonable intervals to reflect current costs and/or new information regarding facility requirements of anticipated development.

***Annexation Policy***

It is the City's policy that before any new annexation is approved by the City Council a comprehensive revenue and expenditure analysis is undertaken to determine whether the proposed annexation will generate sufficient revenues to cover the costs of providing services to the new territory. In instances where the revenues do not equal or exceed the expenditures likely to be incurred as a result of the annexation, City staff should present options to the City Council



## POLICY: COMPREHENSIVE CITYWIDE FINANCIAL POLICY FRAMEWORK

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for how the funding gap may be filled should the City Council wish to still move forward with the annexation.

### **IV. PROCEDURES**

The Finance Director shall annually, or more often if required, review this Policy to ensure that it reflects any updates to other City Council policies referenced herein and that it is consistent with best practices found in public agencies with strong financial management practices. Any updates shall be approved by the City Council.





## POLICY: CASH MANAGEMENT

Number: F-12  
Page: 1

Issue Number: 1  
Date Adopted: June 2, 2020

### **I. PURPOSE**

To establish a cash management policy for the City of Yorba to guide City departments in establishing facility-specific cash management procedures.

### **II. BACKGROUND**

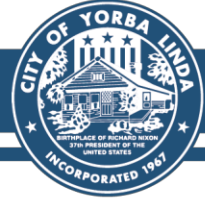
As part of the fiscal year 2018/19 Special Audit Program, the City's external auditors reviewed cash management practices at various City facilities. Included in the recommendations made by the auditors in their report was a recommendation to create a citywide cash management policy to guide City departments in developing facility-specific cash management practices.

### **III. POLICY**

It shall be the policy of the City of Yorba Linda to implement facility-specific cash management practices that are consistent with the following broad guidelines but tailored to meet the unique needs of each City Department and facility.

- A supervisor shall review all daily cash receipts reports and sign off on the information provided by staff.
- Cash receipts shall be deposited at the bank, transferred to an armored car service, or delivered to City Hall for further processing no less than weekly.
- When cash receipts are delivered to City hall, signatures shall be obtained from the receiving and delivering employees indicating that there is agreement on the amount of cash transferred at that time.
- All funds received at City Hall shall be kept in the safe until such time as they are deposited at the bank or transferred to an armored car service.
- All funds received at City Hall shall be deposited at the bank or transferred to an armored car service at least monthly, depending on the volume of cash received and at the discretion of the Financial Services Manager.
- Records related to these processes shall be kept for a period of no less than three fiscal years prior to the current fiscal year.

### **IV. PROCEDURE**



## POLICY: CASH MANAGEMENT

**Number:** F-12  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** June 2, 2020

- A. City Departments shall implement facility-specific cash management practices consistent with this policy.
- B. All elements outlined in the policy shall be adhered to by City Departments and reflected in written procedures for each facility. Facility-specific policies may be more detailed or restrictive than outlined herein.

**POLICY: ANNUAL REVIEW OF PARK IN-LIEU FEES**

**Number:** PR-1  
**Page:** 1

**Issue Number:** 2  
**Date Adopted:** June 16, 2015  
**Replaces:** February 18, 1992

**I. PURPOSE**

To review, every five years, the park in-lieu or parkland impact fees paid by residential developers to ensure the adequacy of fees to allow the City to obtain three acres of parkland for each 1,000 persons residing in the City.

**II. BACKGROUND**

Section 66477 of the California Government Code, also known as the Quimby Act, allows the legislative body of a city or county to, by ordinance, require a dedication of land, the payment of in-lieu fees, or a combination of both, for park or recreational purposes as a condition of the approval of a tract or parcel map. The City has codified its Quimby Ordinance at Yorba Linda Municipal Code ("YLMC") § 17.12.025. Similarly, Section 66000 of the California Government Code, also known as the Mitigation Fee Act, allows the imposition of development impact fees for park and recreations purposes. The City has adopted a Parkland Acquisition Impact Fee Ordinance, codified at YLMC Chapter 15.56, which parallels the City's Quimby Ordinance but applies to residential developments not requiring a subdivision map; it likewise requires a dedication of land, the payment of fees in-lieu thereof, or both, for park and recreational acquisition purposes.

Neither the Quimby Act nor the Mitigation Fee Act mandate a review of established fees at specific intervals. Therefore, the City Council has established a policy whereby in-lieu fees shall be reviewed every five years to ensure that the City meets its requirement for parkland dedication as specified in the Parks Element of the General Plan.

Chapter 15.56 and Section 17.12.025 of the City's Municipal Code respectively require that a fee be collected (or land dedicated) in an amount that will allow the City to obtain from the subdivider or applicant, as applicable, three acres of parkland for each 1,000 persons expected to reside in a new development.

**III. POLICY**

It shall be the policy of the City of Yorba Linda that staff shall review park in-lieu and parkland impact fees every five years, and that any changes recommended by staff shall be brought before the City Council for consideration and adoption by resolution.

**IV. PROCEDURES**

**POLICY: ANNUAL REVIEW OF PARK IN-LIEU FEES**

**Number:** PR-1  
**Page:** 2

**Issue Number:** 2  
**Date Adopted:** June 16, 2015  
**Replaces:** February 18, 1992

The following process shall be used in analyzing the adequacy of fees imposed under Chapter 15.56 and Section 17.12.025 of the City's Municipal Code:

1. Fees shall be computed on current vacant residential land costs based on the most recent sales determined through a land appraisal. Population figures shall be based on the latest Federal Census data for persons residing in each household.
2. Fees shall be reviewed or established by utilizing the following formula:

$$\frac{3 \text{ acres} \times (\text{fair market value})}{1,000} \times \text{Average Population per Dwelling Unit}$$

3. If a substantial difference exists between currently charged fees and the newly reviewed fee, the newly reviewed fee shall be brought before the City Council for consideration of a resolution to adjust said fee.



## POLICY: SEVEN-STEP PARK PLANNING PROCESS

Number: PR-2  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To establish procedures for the planning for both new parkland in the City or major modifications to existing parks.

### **II. BACKGROUND**

During the period of rapid City expansion and growth, several developers were required by State law to dedicate land for public parkland uses. In order to ensure that these new parks met the needs of both their local neighborhoods and the City as a whole, the City Council directed that certain guidelines developed which provided for input from the Council, the Parks and Recreation Commission and area residents.

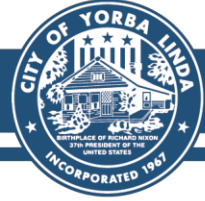
### **III. POLICY**

It shall be the policy of the City of Yorba Linda that parkland development or major modification be done so only after prescribed public review of plans to ensure consistency with City and neighborhood needs as well as with the General Plan.

### **IV. PROCEDURES**

The following seven steps shall constitute the City of Yorba Linda Park Planning Process which shall be adhered to prior to the development or modification of City parkland:

1. City acquires property utilizing available funds or takes dedication of property under Quimby Act. The Quimby Act is a State law which requires housing developers to contribute land or pay development fees in order to accommodate the parkland requirements contained in the City's General Plan.
2. City Staff develops tentative plan for individual parks based on facilities identified in the Parks Element of the General Plan which was adopted by the City Council in 1982. Other considerations for this tentative plan include available resources and limitations of the property.
3. The Parks and Recreation Commission reviews the tentative plan to verify consistency with the Parks Element.
4. Residents living within 300 feet of the parksites, as well as other potential users, are invited to give testimony on the tentative plan before the Parks and Recreation Commission.



## POLICY: SEVEN-STEP PARK PLANNING PROCESS

**Number:** PR-2  
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5. Based on input received, limitations of the property, financial considerations and the need to satisfy particular requirements set forth in the Parks Element, a final plan is submitted to the Parks and Recreation Commission. Once again, area residents and other potential users are invited to comment on the final plan.
6. The City Council reviews the final plan for approval. Area residents and other potential users may once again comment.
7. Upon approval of the final plan by the City Council, staff prepares plans and specifications for the park, advertises for bids and awards a construction contract. Construction will generally commence within six-months of City Council approval.

**POLICY: NOTIFICATION TO HOMEBUYERS OF PROPOSED PARK DEVELOPMENT**

**Number:** PR-3  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** March 17, 1992

**I. PURPOSE**

To establish a notification process whereby potential buyers of newly constructed homes are notified that they will be located adjacent to or in the vicinity of a public park with future planned activities.

**II. BACKGROUND**

The City has an approved Parks Element incorporated in the General Plan which identifies locations for future parks within residential tracts. These parks may contain amenities such as sports facilities and accompanying lighting, play equipment, parking lots, and restrooms which may have an impact on the neighborhood. To ensure that the first homebuyers in a newly developed residential neighborhood are aware of these proposed facilities, the City Council has formulated a policy which insures disclosure of any pending park development. This disclosure shall be the responsibility of the developer of any residential tract with a proposed park and notification shall be made prior to the issuance of any occupancy permits by the Building Department.

**III. POLICY**

It shall be the policy of the City that developers of new residential neighborhoods be required to notify their prospective buyers of proposed park developments adjacent to or in the vicinity of new homes. Proof of this notification shall be a written statement signed by the purchaser and submitted to the Building Department prior to occupancy of the affected homes.

**IV. PROCEDURE**

It shall be a standard condition of approval of any tract map incorporating a proposed City park that notification be given by the developer to prospective homebuyers of the pending development of the park. This notification shall be on a form which has been reviewed and previously approved by the Parks and Recreation Department. These statements shall be signed by the purchaser and submitted by the developer to the Building Department prior to the issuance of occupancy permits for the affected homes.



## POLICY: GUIDELINES FOR USE OF CITY FACILITIES

**Number:** PR-4  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** March 17, 1992

### **I. PURPOSE**

To establish guidelines for the use of City parks and recreation facilities. Parks and recreation facilities are provided for the enhancement of the quality of life in Yorba Linda and for use by City residents and special interest groups.

### **II. BACKGROUND**

The City of Yorba Linda has established regulations in its Municipal Code relative to parks and City recreation and athletic facilities. The Yorba Linda Parks and Recreation Department is responsible for administering those regulations and has developed guidelines for the use of City facilities. This policy allows for the development of guidelines utilized in the enforcement of regulations set forth in Chapters 12.20 and 12.24 of the Yorba Linda Municipal Code.

### **III. POLICY**

It shall be the policy of the City that the scheduling, operation, and administration of City recreational facilities, and the scheduling of other athletic facilities, shall be governed by procedures developed by the Department of Parks and Recreation, subject to review by the Parks and Recreation Commission.

### **IV. PROCEDURES**

The Director of Parks and Recreation shall develop and maintain guidelines for use of City facilities which governs application procedures and regulates the use of all City recreational facilities. Groups desiring to use City facilities shall be provided with a Facility Use Permit and a copy of the guidelines. Upon completion of the Facility Use Permit and submittal of all necessary documentation, City shall grant use in accordance with priorities set forth in the guidelines. Groups granted permission to use City recreational facilities shall be required to do so in compliance with all adopted regulations set forth in the guidelines.



**POLICY: POLICY FOR THE PLACEMENT OF SIGNS IN CITY PARKS**

Number: PR-5  
Page: 1

Issue Number: 2  
Date Adopted: November 5, 2019  
Replaces: October 21, 2014

**I. PURPOSE**

This policy establishes the procedures for the design, placement, and installation of signs to ensure public safety and orderly and efficient use of Parks. This policy shall not apply to signage on Placentia Yorba Linda Unified School District ("PYLUSD") property or any PYLUSD joint use areas designated by the City.

This Policy shall not apply to the City's placement or installation of signs such as directional signs, ADA signs, safety signs, and/or signs relating to City programs or events in parks to benefit the health, safety, and welfare of the residents of the City.

**II. BACKGROUND**

- A. The City of Yorba Linda ("City") owns and maintains parks, fields, and other facilities throughout the City for the purpose of recreational and leisure activities ("Parks").
- B. In order to ensure that signage within these areas meet the needs of user groups, residents, and the City as a whole, the City Council directed that certain guidelines be developed with input from staff, Park and Recreation Commissioners, City Council, and residents.

**III. POLICY**

Cable television administration is a function of the City Manager's office. The City Manager's Office is responsible for implementing and overseeing the production of programming and coordinating the program schedule. All programming decisions will be made by the City Manager-and/or City Attorney.

**A. Nonprofit Youth Organization Signs**

The City of Yorba Linda's Guidelines for Use of City's Outdoor Athletic Facilities defines a "Group B" organization of the City's Sports Advisory Committee ("SAC") as a "nonprofit youth organization or service group, of which the total number of members on all their official team rosters is not less than 60 percent Yorba Linda residents and meets the definition of an organization" ("Organizations").

*i. Signs Posted on Fences*

Organizations may place or install signs in Parks only after obtaining approval from the Director of the Park and Recreation Department ("Director"). To obtain approval, Organizations shall first submit a signage

**POLICY: POLICY FOR THE PLACEMENT OF SIGNS IN CITY PARKS**

**Number:** PR-5  
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**Issue Number:** 2  
**Date Adopted:** November 5, 2019  
**Replaces:** October 21, 2014

request form to the City's Parks and Recreation Department. The exact size, color, wording, installation method, location, and placement for each proposed sign must be indicated on the submission form. Within thirty (30) days after receiving the submission of a completed application, the Director shall approve or disapprove the sign, based on the sign's compliance with the standards set forth below. The Director shall not consider any other factors. The Director shall provide specific reasons for denied requests. The decision of the Director may be appealed to the Parks and Recreation Commission.

**IV. PROCEDURES**

The Director shall have the authority to approve three types of signs: Information Signs, Branding Signs, and Banners.

**Branding and Information Signs**

Information Signs are signs that list general rules and regulations related to facility/field information, league rules, or league code of conduct. Information signs shall not exceed 18" x 24" or 432 square inches.

Branding Signs are signs that show the parent organization's name and logo. Branding signs may only be placed at the entrance or focal point of a Park facing away from the field of play. Branding signs shall not exceed 24" x 36" or 864 square inches.

In addition, Branding and Information Signs shall comply with the following requirements:

1. Signs shall not be used for commercial purposes. Specifically, these signs must not contain marketing material, including but not limited to references to corporate sponsors.
2. Signs shall be constructed of plastic or aluminum materials (not to exceed 1/8" thick) with language on only one side of the sign. The color of all signs at a specific Park must be consistent in color and font style.

**Banner**

Banners must not exceed 8' x 4' or 32 square feet. Banners may contain marketing material, including the names of corporate sponsors. Banners must be

**POLICY: POLICY FOR THE PLACEMENT OF SIGNS IN CITY PARKS**

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**Replaces:** October 21, 2014

displayed facing the field of play on permanent fence lines within Parks and on the outfield fences in baseball and softball fields facing the field. The writing and/or graphics/logos may be printed only one side of the banner. The banner must be made of durable cloth, bunting, plastic, or similar material. Banners must be tautly and securely fastened to the outfield fence by a minimum of four contact points.

All signage must relate to the mission and purpose of the Organizations; signs must be non-obscene and appropriate for children to view. Signs may not be used for political purposes.

Signs may only be attached to existing chain link fencing with zip-ties, metal tie wire, or other approved methods. Signs may not be mounted on block walls, wrought iron fences, storage containers, batting cages, buildings, etc. The maintenance and upkeep of all signs shall be the responsibility of the Organizations. Failure to do so will result in immediate removal by City of Yorba Linda staff without notice or compensation.

Signs may only be displayed during the organization's primary allocation seasons. Signs may be installed only after the first day of the primary allocation season and must be removed no later than the last date of the primary allocation season as defined in the Guidelines for Use of Outdoor Athletic Facilities. Signs that are not removed by the last date of the primary allocation season will be taken down by City staff and the Organization will be charged for City staff time and materials.

ii. Signs Posted on Scoreboards

Organizations may be permitted to place or install signs on scoreboards purchased and installed for City use. Prior to installing signs on scoreboards, Organizations must submit a signage request form to both the City of Yorba Linda's Parks and Recreation and Building Departments. An Organization shall obtain approval from the Building Department verifying that the sign meets the City's Building Code and the Organization has paid any applicable permit fees. The Organization shall also obtain approval from the Parks and Recreation Department verifying that the sign meets the following requirements:

1. Signs may only reference the name of the Park, or the "City of Yorba Linda."
2. Signs shall not exceed the overall width of the scoreboard

**POLICY: POLICY FOR THE PLACEMENT OF SIGNS IN CITY PARKS**

**Number:** PR-5  
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**Issue Number:** 2  
**Date Adopted:** November 5, 2019  
**Replaces:** October 21, 2014

Prior to installing any permanent device such as a scoreboard, an Organization must enter into an agreement with the City whereby the City agrees to permit the Organization to install the scoreboard on City-owned land and the Organization agrees to purchase the scoreboard and pay for the installation and any future maintenance that may be required. Upon installation, the scoreboard shall become City property.

\*\* Scoreboards installed prior to the adoption of this Policy ("Existing Scoreboards") will not become City property. The City does not accept liability for Existing Scoreboards. The Organizations shall continue to maintain Existing Scoreboards and shall be responsible for obtaining all necessary approvals and permits from the City, in compliance with the procedures set forth above, prior to installing any signs.

**B. Donor Recognition Signs**

**iii. Plaques Acknowledging Donations**

The City may accept donations from any and all persons for Park capital improvements ("Donors"). Donors shall obtain permission from the Parks and Recreation Department prior to installing any Park capital improvement. Donors who are affiliated with an Organization and donate a Park capital improvement exceeding \$5,000 in value may place a permanent "donor recognition plaque" near the Donor-funded Park improvement. The plaque may not exceed 12" x 12" or 144 square inches. The plaque may reference the Organization's name and logo, the name of the Park, the "City of Yorba Linda," or the name of the donor. The plaque must be set in concrete adjacent to the donated item and shall be installed at the expense of the Organization through coordination with the Parks and Recreation Department.

**iv. Signage Acknowledging Large Donations**

This policy does not preclude the City Council from recognizing donors who have made significant donations for the construction or significant renovation of Parks. The City Council retains the right to install permanent signs in City Parks recognizing those who have made significant donations.



## POLICY: POLICY FOR THE PLACEMENT OF SIGNS IN CITY PARKS

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\*\*\*\*\*

The City reserves the right to limit the quantity of all types of signs approved for display, and to reject a sign if there is no available space in a designated Park. The City also reserves the right to amend this policy or adopt further policies governing the posting of signs in Parks.

**POLICY: POLICY FOR PARK AND FACILITY NAMING**

**Number:** PR-6  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** May 1, 2018

**I. PURPOSE**

This Policy establishes a uniform procedure for the naming or re-naming of City of Yorba Linda parks and facilities.

**II. BACKGROUND**

Pursuant to the Cable Communications Policy Act of 1984, channels may be designated

- A. City Council Policy PR-2: Seven Step Park Planning Process includes procedures for planning new parkland and major modifications to existing parks within the City; however, a specific process for the naming of parks or facilities is not incorporated into the Seven-Step Park Planning Process.
- B. In order to establish a uniform procedure for the naming (or renaming) of parks and facilities, the City Council directed staff to develop a procedure which will seek input from staff, Commissions, City Council, and residents.

**III. POLICY**

Cable television administration is a function of the City Manager's office. The City Manager's Office is responsible for implementing and overseeing the production of programming and coordinating the program schedule. All programming decisions will be made by the City Manager-and/or City Attorney.

- A. Names shall be noticeably different than all existing park/facility names to avoid duplication or confusion. It is recommended that names will provide a sense of location; provide information about what can be expected at the location; or reference long established names for an area, park, or facility. For business identification purposes, the following facilities are exempt from renaming: City Hall, Yorba Linda Community Center, and the Yorba Linda Public Library.
- B. The naming process for new parks or facilities should begin soon after acquisition of land, during master plan process (if applicable), or prior to construction.
- C. City facilities should have a traditional name as well as incorporate "Yorba Linda" where it is important for a facility/building to be identified with the city. Names should fall into one of the following categories with preference given to geographic, historic/indigenous, and native flora/natural features.
  - 1. Geographic (street, location, area of the city, etc.)
  - 2. Historic or Indigenous References
  - 3. Native Flora or Natural Features
  - 4. A Person or Community Organization



## POLICY: POLICY FOR PARK AND FACILITY NAMING

**Number:** PR-6  
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**Issue Number:** 1  
**Date Adopted:** May 1, 2018

### 5. Naming Rights

- D. Parks and facilities that are named after a person, community group, or organization are subject to the following requirements:
  - 1. Naming parks and facilities after a person may only be considered posthumously. The individual must have made a significant contribution to the park or facility, particular department, or the community as a whole. Names of posthumous individuals may be considered as a result of a stipulation or donation.
  - 2. Naming of parks or facilities after a community group or organization will be considered if they have made a significant contribution to the city by: enhancing the quality of life and well-being of the city and majority of the residents; contributing to the historical or cultural preservation of the city; or contributing to the acquisition, development, or conveyance of land or building to the city.
- E. Naming rights may also be considered as a result of an agreement or donation in which terms and conditions to be approved by the City Council.
- F. All park and facility names are subject to approval/denial by the City Council.

## IV. PROCEDURES

The following process shall govern naming or renaming of City of Yorba Linda parks and facilities:

- A. A need is established to assign a name, or re-name, a City of Yorba Linda park or facility. This could occur through staff, Commission, City Council, residents, or community organizations.
- B. Requests from residents or community organizations must be submitted in writing, with justification, to the appropriate Commission for review and approval to move to Step B.
- C. City staff will then develop a staff report requesting authorization from City Council to begin the naming process.
- D. The City Council may authorize initiation of the naming process and direct the appropriate Commission to seek public input and take testimony. The City Council could also deny the request.



## POLICY: POLICY FOR PARK AND FACILITY NAMING

**Number:** PR-6  
**Page:** 3

**Issue Number:** 1  
**Date Adopted:** May 1, 2018

- E. Public input will be solicited through appropriate means and placed on a Commission meeting agenda for public testimony. Concluding the public input process, the Commission will make a recommendation, which will be forwarded to the City Council via staff report to be placed on a City Council meeting agenda.
- F. The City Council may accept or reject the recommended name. The City Council may also choose to approve another name at the discretion of the City Council. This policy does not preclude the City Council from approving names for parks and facilities that fall outside of the guidelines set forth in this policy. The City Council may choose to name a park or facility through an alternative process not outlined above.





## POLICY: PLANNING COMMISSION REVIEW OF CITY BUILDINGS

Number: P-1  
Page: 1

Issue Number: 1  
Date Adopted: June 2, 2020  
Replaces: May 16, 2000

### **I. PURPOSE**

To establish procedures by which plans for new or substantially modified City buildings are brought to the Yorba Linda Planning Commission for review prior to submittal to the City Council for authorization to bid.

### **II. BACKGROUND**

As part of the seven year Capital Improvement Program, the City Council may appropriate funds for the construction or modification of public buildings. Since the visual and operational characteristics of these facilities may have substantial impacts on neighboring residential and/or commercial properties, and since the Planning Commission is responsible for assessing the compatibility of improvements to private property with surrounding land uses, it is important that the Planning Commission perform similar assessments for public buildings as well.

### **III. POLICY**

Members of City staff shall present to the Yorba Linda Planning Commission all plans and designs relating to the new construction, or substantial structural modification, of public buildings. This Planning Commission review should take place prior to the submittal of the project's plans and specifications to the City Council for authorization to solicit bids for construction.

### **IV. PROCEDRES**

The following shall constitute the procedure for submitting plans and designs for public buildings to the Planning Commission:

1. The department head responsible for coordinating the construction project shall meet with the Director of Community Development to review the proposed plans and design and to schedule a date when said plans and design may be presented to the Planning Commission.
2. Following his/her review of the proposed plans and design, the Director of Community Development shall prepare a written report to the Planning Commission presenting staff's assessment and recommendations for the project.



## POLICY: PLANNING COMMISSION REVIEW OF CITY BUILDINGS

**Number:** P-1  
**Page:** 2

**Issue Number:** 1  
**Date Adopted:** June 2, 2020  
**Replaces:** May 16, 2000

3. Following the Planning Commission's review of the project, the responsible department head shall make any necessary changes to the plans and design and shall present the completed plans to the City Council for approval and authorization to solicit construction bids.



## POLICY: DEMOLITION PERMIT REVIEW

Number: P-2  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To protect potentially historic buildings from premature demolition by requiring all demolition permits to be approved by the City Council.

### **II. BACKGROUND**

The City of Yorba Linda has traditionally taken pride in its Spanish land grant origins as well as its role in the economic growth of Orange County. Many areas of the City, particularly those in the western-most section, contain buildings and other structures which reflect this history and which are worthy of preservation.

The Historic Resources Element of the General Plan lists certain structures as having potentially historic value. The City Council has expressed its desire to review the issuance of all demolition permits to insure the preservation of these and other historically significant properties

### **III. POLICY**

All demolition permits shall be reviewed by the City Council prior to being issued.

### **IV. PROCEDURES**

The City Clerk shall place all demolition permit requests on the next available City Council Agenda.



## POLICY: EL CAJON RECREATION TRAIL

Number: P-3  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To provide the citizens of Yorba Linda with a multi-purpose recreational trail by securing either fee title or an easement over the El Cajon Canal right-of-way.

### **II. BACKGROUND**

In 1969, the City acquired the El Cajon Canal right-of-way from the Orange County Water District when the District declared the canal as surplus and unnecessary. Since that time, several disputes have arisen between the City and adjacent property owners over the property's title. In order to clear up these disputes, the City Council directed that as the disputed properties are developed, the owners should either quitclaim the portion applicable to the El Cajon Recreational Trail or dedicate an easement to the City. This policy has, over the years, eliminated these disputes. There remains one length of the right-of-way partially outside the existing City limits which is still subject to the policy.

### **III. POLICY**

Whenever a discretionary project which includes any part of the El Cajon Multi-Purpose Trail right-of-way is approved, a condition shall be added requiring either a quitclaim or easement dedication to the City.

### **IV. PROCEDURES**

The Planning Commission shall continue to place this requirement on all discretionary projects adjacent to the El Cajon Recreational Trail.



## POLICY: PLANNING ADMINISTRATIVE ADJUSTMENTS

Number: P-4  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To insure against excessive changes to a subdivision resulting from the use of the planning administrative adjustment procedure.

### **II. BACKGROUND**

Occasionally, the need arises for a developer to make minor adjustments in site development standards which have been incorporated into an approved tentative tract map. These adjustments may be necessary to address problems encountered at the site prior to construction. A requirement that all such minor adjustments be processed through the Planning Commission would place an unnecessary burden on both the developer and the Commission.

### **III. POLICY**

The Community Development Director may make administrative adjustments to no more than 10% of the lots in a proposed new subdivision.

### **IV. PROCEDURE**

The Community Development Department is responsible for administering this policy.



## POLICY: RESIDENTIAL SIDEWALKS

Number: P-5  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To maintain a consistent sidewalk policy in order to enhance the residential character of the City and insure public safety.

### **II. BACKGROUND**

The City of Yorba Linda prides itself in its "semi-rural" atmosphere. One of the key elements contributing to this atmosphere is the absence of sidewalks. The City also recognizes its obligation to provide for safe pedestrian walkways, particularly along those routes used by children walking to and from school. In order to address this inherent conflict, this policy recognizes that in the higher density zones more sidewalks are needed than in lower density zones and that they are also needed on arterial and collector streets.

### **III. POLICY**

Sidewalks on all internal residential streets shall be required as follows:

RS zone - One side of street

RU zone - Both sides of street

RE zone - None

RA zone - None

RLD zone - None

PRD zone - As approved by the Planning Commission

PC zone - As approved by the Planning Commission

Sidewalks will be required on at least one side of all collector and arterial streets and in all commercial zones.

### **IV. PROCEDURE**

The Planning Commission shall require sidewalks on all new developments in accordance with this policy except where local circumstances dictate additional sidewalks for safety purposes.



## POLICY: STREET IMPROVEMENTS IN RURAL AREAS

Number: P-6  
Page: 1

Issue Number: 1  
Date Adopted: February 18, 1992

### **I. PURPOSE**

To maintain the original "semi-rural" environment within certain portions of Yorba Linda.

### **II. BACKGROUND**

The City of Yorba Linda takes great pride in its "semi-rural" character. In certain parts of the City this character is defined in large part by the lack of street improvements (i.e. curbs, gutters, sidewalks). Sections of Grandview Avenue, Palm Avenue and Mountain View Avenue are fully or nearly fully developed and to install these improvements now would detract from the existing "semi-rural" character.

### **III. POLICY**

Street improvements on Grandview Avenue north of Mountain View Avenue, Mountain View Avenue west of Ohio Street, and all of Palm Avenue shall not be required.

### **IV. PROCEDURE**

The Community Development Department shall encourage variance applications whenever full street improvements on these specified streets are required as a result of new development.



## POLICY: APPEAL OF PLANNING COMMISSION DECISIONS

Number: P-7  
Page: 1

Issue Number: 1  
Date Adopted: December 1, 1992

### **I. PURPOSE**

To establish a policy in those instances when there is an excessive time lapse between Planning Commission meetings and City Council meetings which precludes the City Council from the ability to appeal items from a previous Planning Commission meeting.

### **II. BACKGROUND**

In those instances where time lapses between a Planning Commission and City Council meeting exceeds fifteen (15) days (or ten (10) days in the case of a Tentative Tract or Parcel Map), the City Council loses its ability, as a body, to appeal an item from the Planning Commission agenda. In order to maintain full appeal review rights, it is the desire of the City Council to require that a condition of approval be placed on all Planning Commission actions in that instance, which states that no action of the Planning Commission is final until forwarded to the City Council for review and approval.

### **III. POLICY**

In those instances when a time lapse between a Planning Commission and City Council meeting exceeds 15 days (10 days in the case of Tentative Tract and Tentative Parcel Maps), all Planning Commission actions shall be forwarded to the City Council by a condition placed on the project, for final review and approval.

### **IV. PROCEDURE**

The Community Development Director is responsible for including all appropriate conditions of approval on Planning Commission items and for forwarding items to the City Council for review and approval.





## POLICY: HOT WATER RECIRCULATION SYSTEM

Number: P-8  
Page: 1

Issue Number: 1  
Date Adopted: May 5, 1998

### **I. PURPOSE**

To provide new home buyers with the option of having a hot water circulation system installed during the construction of their home.

### **II. BACKGROUND**

The City Council of the City of Yorba Linda is interested in the water conservation benefits of domestic hot water recirculation systems. Hot water recirculation systems are known to promote convenience to the user, as they shorten the waiting time for hot water to arrive at the tap. Also, the systems provide for water savings, in the form of water that would otherwise be wasted down the drain while waiting for the hot water to arrive.

In the interest of water conservation, the City Council has elected to encourage developers to offer new home buyers hot water recirculation systems prior to the construction of new homes in the City.

### **III. POLICY**

Developers of residential property shall be encouraged to offer a hot water recirculation system in all new residential subdivisions as an option to any buyer purchasing a home prior to construction.

### **IV. PROCEDURE**

The Planning Commission shall encourage developers to offer hot water recirculation systems to new home buyers in new subdivisions.

**POLICY: COMMUNITY FACILITY DISTRICTS (MELLO-ROOS DISTRICTS)**

**Number:** P-9  
**Page:** 1

**Issue Number:** 1  
**Date Adopted:** July 16, 2002

**I. PURPOSE**

To notify developers that the City of Yorba Linda is opposed to the creation of Community Facility Districts (Mello-Roos Districts).

**II. BACKGROUND**

The Mello-Roos Act of 1982 allows public agencies to create community facilities districts as a means of financing various public improvements through the levy of special taxes upon the real property within the districts. The City of Yorba Linda believes that these districts pose an unnecessary and onerous burden on the future purchasers of homes within new developments.

**III. POLICY**

The following language shall be added to the conditions of approval for all new subdivision and other applicable projects that are reviewed and approved by the Planning Commission and/or the City Council of Yorba Linda:

The developer accepts the approval of the {description of the project} with the understanding that the City of Yorba Linda is opposed to the land based financing of any and all public facilities or development fees required by the City or any other public agency. The developer therefore agrees that it shall not pursue with the City or any other public agency the creation of a community facilities district or any other land based financing for public facilities or development fees in connection with this project. The developer represents that it will inform any successor developer of developer's understanding of the City's prohibition and developer's agreement not to pursue such public financing. As with all the conditions of approval contained herein, this condition shall apply to developer and its successors and assigns.

**IV. PROCEDURE**

The Planning Commission and/or the City Council, as applicable, shall review all new projects submitted to them for approval. The new condition regarding the prohibition of the creation of Community Facilities Districts (Mello-Roos Districts) shall be included as a condition of approval for all new subdivisions and other applicable projects.

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## POLICY: TENTATIVE TRACT AND PARCEL MAPS

Number: P-10  
Page: 1

Issue Number: 1  
Date Adopted: October 1, 2002

### **I. PURPOSE**

To ensure that City Council is aware of all Tentative Tracts and Tentative Parcel Maps proposed in the City of Yorba Linda.

### **II. BACKGROUND**

According to City Code, the Planning Commission is the final approving body for all Tentative Tract and Parcel Maps, unless appealed to the City Council. In order to be able to review the maps approved by the Planning Commission without the necessity for a formal appeal, the City Council wishes to have all Tentative Tract and Parcel Maps sent to them as part of the bi-monthly Planning Commission packet mail-out. In this way, the Council can be continuously updated so that an educated determination can be made as to whether said tentative maps are acceptable to the City Council, or require further review.

### **III. POLICY/ PROCEDURE**

All proposed subdivision maps shall be forwarded to the City Council routinely, as part of the Planning Commission bi-monthly mail-out of packets.



## POLICY: METHANE GAS INVESTIGATION AND MIGRATION FOR EXISTING HOMES UNDERGOING EXPANSION

Number: P-11  
Page: 1

Issue Number: 1  
Date Adopted: April 15, 2003

### **I. PURPOSE**

To provide an effective and practical method of safeguarding against potential methane soil gas hazards for existing homes undergoing expansion.

### **II. BACKGROUND**

The City of Yorba Linda has adopted an Amendment to the Local Fire Code. This Amendment enables the City to enforce measures that require methane soil gas to be investigated and mitigated. These requirements are applicable to all proposed new buildings built within oil fields

### **III. POLICY**

The City shall enforce the local Fire Code in an expeditious manner in order to streamline the Building Permit process.

### **IV. PROCEDURE**

The process shall be in compliance with the current adopted Fire Code in the following manner:

1. Additions to existing homes constructed with no mitigation are exempt, unless the footprint of the addition exceeds 1000 square feet, or the expanded portion of the footprint is within 25 feet of recorded oil well location, active or abandoned. These projects are subject to methane gas investigation and possible mitigation.
2. Additions to buildings built with existing methane gas mitigation features are subject to mitigation.
3. New developments in oil production fields require gas investigation and mitigation.

The Building Division of the Community Development Department is responsible for screening Building permit applications and ensuring that all methane gas requirements are met.